

9-20-1989

# Televising the Legislature

Senate Rules Committee

Senate Energy and Public Utilities Committee

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JOINT HEARING OF THE  
Senate Rules Committee  
AND THE  
Senate Energy and Public Utilities Committee



# TELEVISIONING THE LEGISLATURE

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SENATOR DAVID ROBERTI, Chairman  
SENATOR HERSCHEL ROSENTHAL, Chairman

September 20, 1989

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JOINT HEARING  
SENATE RULES COMMITTEE  
AND  
SENATE ENERGY & PUBLIC UTILITIES COMMITTEE  
STATE OF CALIFORNIA

STATE BUILDING  
ROOM 1138  
LOS ANGELES, CALIFORNIA

WEDNESDAY, SEPTEMBER 20, 1989

9:45 A.M.

Reported by:

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Evelyn Mizak  
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APPEARANCES

MEMBERS PRESENT

SENATOR DAVID ROBERTI, Chairman  
Senate Rules Committee

SENATOR HERSCHEL ROSENTHAL, Chairman  
Senate Energy & Public Utilities Committee

SENATOR ALFRED ALQUIST

SENATOR ROBERT BEVERLY

STAFF PRESENT

KATHY HUMPHREY, Consultant  
Senate Rules Committee

PAUL FADELLI, Consultant  
Senate Energy & Public Utilities Committee

LORETTA RIDDLE, Assistant  
Senator Alquist

ALSO PRESENT

WALTER ZELMAN, Legislative Advocate  
Common Cause

CAROLE WAGNER VALLIANOS, President  
League of Women Voters

DORI PYE, President  
Los Angeles Business Council

SHIRLEY SHAFFER, Assemblywoman  
California Senior Legislature

VIC BIONDI, Executive Director  
California Broadcasters Association

TRACY WESTEN, Professor  
USC Annenberg School of Communications

WILLIAM KOBIN, President and CEO  
KCET (Public Broadcasting)

JESS MARLOW  
KNBC

JOHN THOMAS, Executive Producer  
Florida Public Television

APPEARANCES (Continued)

SUSAN HERMAN, Director  
Los Angeles Department of Telecommunications

ED ALLEN, Founder and Boardmember  
C-SPAN

PAUL KOPLIN, Executive Director  
California Channel

BETH GIVENS  
USC Annenberg School of Communications

DENNIS MANGERS, Legislative Advocate  
California Cable Television Association

WALTER GERKEN, Board Member  
California Channel  
Past Chair, California Roundtable

MOONYEAN KISTLER  
Member of Audience

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P R O C E E D I N G S

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CHAIRMAN ROSENTHAL: The hour of 9:30 having arrived, may we have our participants here at the front desk, front table.

As Chairman of the Senate Energy and Public Utilities Committee, I'm certainly pleased to be here today to be holding a joint hearing on the possibilities of televising the activities of the State Legislature with the Senate Rules Committee and its Chairman, Senator David Roberti. It's always an honor to have the Senate Pro Tempore present.

Would you like to open?

CHAIRMAN ROBERTI: Thank you, Senator.

I'd like to welcome everybody here: myself, Senators Rosenthal, Alquist and Beverly.

As you know, the 1989 legislative session just came to a close last Friday, and we feel it was an especially productive year. Among other things, we've banned assault weapons in California, developed a new transportation program in the state. We allocated Proposition 99 tobacco tax dollars, a portion of that going to health care. We tackled the State's garbage problem.

There are other things besides these that didn't get quite as much attention: unemployment benefits were reformed after seven years; the blood alcohol level was decreased as far as drunk drivers were concerned; and now you can receive a tax credit for helping your employees find child care.

However, the problem is that to make democracy work, citizens must be informed. Representative government demands free and open communications between citizens and their elected officials.

In my eight years as leader of the State Senate, I've worked to ensure to make the law making process efficient, fair and open. We this year also passed an ethics reform package, so we feel that the law making process is an open one, the public's business to be conducted in public. But the problem is, who's around to see it?

We need more citizens involved in politics in government to keep government honest, and to keep government responsive to the citizens.



I've talked about some of the successes this year. I didn't talk about any of the failures of last year; nevertheless, that would have been something to see also, where programs that the public wants enacted don't become enacted.

So, the issue before us this morning is how we can communicate more effectively. Perhaps by televising legislative proceedings, we can make State government more accessible, and the public will be able to get information it needs to participate more fully in the political process.

I have questions about how best to accomplish this. I want to know if a C-SPAN model is appropriate for our state. Is the public willing to see tax dollars spent on televising the Legislature? We want to know even if we did, there has to be some audience, but the question is who would watch? Would anyone watch? What impact would this have on the process itself? That also is significant because, even if a fraction of the citizens are watching, as important as that is, there is always a downside, and that is that the desire to star sometimes can stall proceedings.

So, I look forward to interests from the witnesses as to what they feel we should be doing, and how they feel we can best communicate, and if C-SPAN is the proper route to go.

So, I want to thank everyone for coming. I want to thank my colleagues for coming, and I look forward to hearing the witnesses.

CHAIRMAN ROSENTHAL: I think it's definitely appropriate that these two committees should both be represented here today to discuss the possibility of televising the activities of the Legislature. Senate Rules, of course, represents the administrative and housekeeping committee of the Senate, where issues of costs, procedure and process are the primary focus. Energy and Public Utilities not only has jurisdiction over certain aspects of cable, but also represents a policy committee. And what we are really discussing here is whether or not important policy matters of every variety, from every policy committee, will be debated in full public view for all Californians.

We do have a specific proposal before us today -- the "California Channel" -- which put forth its report and proposals last month. The concepts explored in the report produced by the Annenberg School of Communications were well received by the state media and editorial boards, which all too often, ironically, place the most news emphasis on federal and local events.

But, we are not here today to endorse any specific program over another, but rather to explore: whether it is in the public interest to televise what State Legislators do in Sacramento; whether it is in the taxpayers' interests to pay for parts of that capability; and whether the media and the cable industry will be interested enough to facilitate a greater coverage of the State Legislature if we do move toward TV coverage.

But let's be honest with ourselves. California is a nation-state. And from my position as Chairman of a committee which reviews many new technological advances with respect to telecommunications and the transfer of information, it is my view that California and its citizens are working at a disadvantage not to have the State Legislature televised.

Just this year alone, issues such as Senator Roberti mentioned, such as gun control, workers' compensation, the merger of giant state utilities, new health benefits, and insurance reform have been debated in Sacramento -- issues which will have a profound impact on all Californians.

So, if some here today may be asking why should we televise, I think I'm in the camp of supporters who only see this move as improving government and would probably respond: where have we been for so long?

I look forward to the discussion today, and want to commend Senator Roberti for initiating this important first step toward a more open and public legislative process in Sacramento. As he knows, I have authored Senate Resolution 30, now before Rules, which would establish a task force to lay the initial groundwork and make some cost projections on this project, which may be a good second step.

At this time now, I'd like to call upon the other Senators who are there, if they'd like to make an opening statement.

Senator Alquist, Chair of the Budget Committee.

SENATOR ALQUIST: I have little to add to what you and Senator Roberti had to say.

I think we came here to hear from constituents, not to express our own opinions. So, we'll listen and gather information.

CHAIRMAN ROSENTHAL: Thank you.

Senator Beverly?

SENATOR BEVERLY: No.

CHAIRMAN ROSENTHAL: Then we'll begin with our Panel. The subject matter title is: **What the public feels about the need for more television coverage of the Legislature.**

I will just take them in the order in which they're sitting: Walter Zelman, Common Cause.

MR. ZELMAN: Thank you, Senator Rosenthal, good morning.

Last year, or maybe it was earlier this year -- I forget -- the last outside Sacramento television bureau closed its doors in Sacramento. Since that time, and even long prior to that time, outside of Sacramento coverage of Sacramento politics on television has been minimal, if not nonexistent.

When it comes to television coverage of California politics, Sacramento is nothing more than a giant black hole. An awful lot of critical political and governmental activity goes on in Sacramento, and at least in terms of television coverage, very little of it ever gets out.

I was reading the Los Angeles Times this morning, and there, of course, on Page 1 of the Metro Section: "Gabor Gives a Slam Bang Tale of Arrest." I don't see too much television news myself. I'm not really home, usually, early enough, but I'm sure Zsa Zsa is all over the evening news, and maybe that's fine, maybe the public wishes to see Zsa Zsa on the evening news, but there are a lot of other important things going on in this world that are not making the evening news, in part because some people don't feel they're important enough; in part because they don't have anything to show. Television is a visual business, and there's frequently just nothing to show.

I understand that TV editors may favor news, however insignificant in its impact, that viewers might prefer watch, and maybe they have some sense of what viewers would prefer to watch. However, I do think television stations do have an obligation to report hard political news, and the public's lack of interest in political news, I think, is in part a chicken versus the egg problem. They don't see very much about Sacramento politics; they're not, therefore, very interested in Sacramento politics, and therefore they see even less of Sacramento politics, and it goes on and on and on.

For years -- to put this question of a C-SPAN network, or California Channel, or televising the Legislature in a larger sense -- for years Common Cause, as all of you know perhaps all too well, has been advocating various reforms before the State Legislature. We talked about campaign financing, ethics, and a number of other issues.

In a sense, though, the largest crisis we face in California politics is that the bonds between the governed and the governors are snapping. There is increasing distrust of government. There is an increasing lack of understanding of government. There's a lack of participation in government, not only in terms of voting, not only in terms of registration, but in terms of volunteerism, in terms of community service, in terms of a sense the general public has to its government of is the servant doing the job well.

I think this is a real crisis coming in California government, and I think it's coming around the country. There may be many, many reasons for it, certainly only a few of which emanate out of Sacramento. We have a more and more complex society. It's harder and harder for people to relate to government. They don't understand it. They can't get connected to it. We have two working person families. People don't have the time to volunteer any more. The institutions, the groups that used to connect the people and the government are not there in the same numbers. All of us are having a harder time getting involved people to cooperate with us. We're having a long-term crisis, and it's going to get very hard in terms of public confidence in government.

This concept of a C-SPAN type channel, or California Channel, is, I think, a modest opportunity to take a step in the right direction of approaching some of those problems. My own sense is that the public at first, at least, will not be enthralled by watching gavel-to-gavel coverage of the State Senate or the State Assembly.

I do think, however, that the public would find coverage of the press room interesting. A lot of interesting things go on in that room, not a few of which involve myself and others like me. But I think interesting things go on. There are interesting speeches in Sacramento every day. In one hotel or another, there's somebody saying something of real value and some interest.

That's not to say that what's going on on the Floor isn't of value and interest. It may just be duller in its type of presentation.

So, I think there's a lot of potential for this. I think there are public affairs shows, there are documentaries that could play off these kinds of ideas and find interest in at least a segment of the population. This is never going to be a number one seller, but I think there are some real opportunities to get people more involved, people more interested, people more knowledgeable.

So, I think the public affairs type of shows, certain kinds of coverage of certain kinds of Sacramento activities, I think, could be very valuable. And the availability of a television camera, the availability of news, the availability that a station here in Los Angeles could pick up a feed from this and taking something off the Floor debate, rather than the stock footage we always get when any Sacramento story which is covered -- guys moving their microphones around and never saying it happened six months ago -- would be very helpful.

So, I think that the availability of daily comments from journalists, from Legislators, from public interest advocates and others, that would be picked up on a daily basis and fed into local station feed, could be extraordinarily helpful.

So we're very supportive of this idea. We think something has to be done over the long haul to improve understanding of government, improve participation in government, and see this as a, perhaps, modest and very positive step in that direction.

CHAIRMAN ROSENTHAL: Thank you very much.

Our next witness is Carole Wagner Vallianos, League of Women Voters.

MS. VALLIANOS: Thank you.

Mr. Chairmen and Members of the Joint Senate Rules Committee and Senate Energy and Public Utilities Committee, my name is Carole Wagner Vallianos. I'm President of the League of Women Voters of California.

Thank you for the opportunity to address the issue of what the public feels about the need for more televised coverage of the Legislature.

The League of Women Voters is a national, nonpartisan, volunteer, grass-roots organization. We support -- we do not support candidates or political parties. We do, however, support issues, and those are issues that our members have studied and reached consensus.

The League has 80 local and regional Leagues throughout California. Since its inception 69 years ago, the League of Women Voters has promoted actions to improve access to government. As a way of improving that access, my Board gave approval in July of 1989 to join the Board of Directors of the California Channel.

We believe that televising the Legislature is an opportunity for the public to see and hear Sacramento. The California State Legislature is one of the most powerful governing bodies in the nation, yet surely one of the most neglected by the media.

We are only one of three states in the country that does not provide live coverage of debates in their legislature. Only Texas and California provide no funding for public broadcasting. There are no out-of-town television news bureaus remaining in Sacramento. The typical television coverage of news in the Capitol is barely a few minutes in a half an hour format.

With the complex issues facing the citizens of California, direct and independent televised legislative coverage would provide a first-hand unfiltered look. The League's position states that we promote an open governmental system that assures opportunities for citizen participation in government. We believe that the citizens' right to know must be protected. We further believe that citizen participation in government decision making must be facilitated, and an ideal way to do this is by televising the Legislature.

One of the areas for which the League is known is the sponsorship of both candidate and issue forums and debates. We have found that in our coverage of election issues, the public is anxious to see and to hear from a direct source. A full 78 percent of those surveyed answered yes when asked if they had happened to watch any of the three nationally televised presidential and vice presidential political debates in October of 1984, according to a Gallop Poll taken that October. The public is definitely interested in watching.

This is a generation that is accustomed to getting their information through the electronic media. Those people who are interested in government and how it affects their lives would be able to watch the Legislature in action, as well as reporters, educators, political professionals, and opinion leaders. But the average person would also have the opportunity to watch, and perhaps that's the most important person of all.

More than 120 cities and counties throughout California are now broadcasting their meetings. It is highly appropriate for the State Legislature to provide the same citizen access.

In summary, as a public interest organization, the League of Women Voters of California supports the concept of televising the Legislature. We believe in assuring that opportunity for citizen participation in government decision making.

Thank you.

CHAIRMAN ROSENTHAL: Just one question.

Do you think there would be the interest in nonelection years?

You commented about candidates during election years. What do you think would be your answer on that particular issue?

MS. VALLIANOS: Yes, I do. I think there would be interest. As Mr. Zelman said, there is much interest in some of the hearings that are being conducted, as well as on the Floor of the Legislature. And there are many opportunities for other public interest programming.

CHAIRMAN ROSENTHAL: Thank you.

Any questions? Senator Beverly.

SENATOR BEVERLY: Mr. Chairman, no question, but I just can't resist commenting that I'm glad you and the League are listening to each other again, regardless of the statement of the Elections Committee.

MS. VALLIANOS: Thank you, Senator.

CHAIRMAN ROSENTHAL: I was going to make a comment, but I didn't.

Our next witness is Dori Pye, President of the Los Angeles Business Council.

MS. PYE: Thank you.

I'm Dori Pye, President of the Los Angeles Business Council, the Chamber of Commerce. It's the Chamber of Commerce. It's accredited. It's the only Chamber of Commerce in the entire State of California that's accredited for 20 years by the U.S. Chamber of Commerce.

We are known as a political activist group. We're very, very much activists. We're very, very heavily involved in the political arenas. We were probably one of the forerunners of all the other Chambers in the State because of the fact that we really feel very strongly that in order to communicate, get our points across politically, and our concerns and issues which are issues that you're dealing with, we have to communicate with you. If we can't communicate with you, nothing gets done.

So as a result, we became kind of a maverick group because some of us are Democrats. Not every Chamber is Republican. We have many, many friends in Sacramento. We've also had many Sacramentans who enjoy our events down here in Los Angeles.

We represent about 750 corporate firms, a representation of approximately 50,000 employees. Our firms represent from the larger corporations, to Fortune 500, entrepreneurs, professionals, law firms, et cetera.

We are very, very involved in the political arena and concerned about transportation and about gun control. We supported you, Senator Roberti, very strongly in terms of your gun control. We're very proud to have played a small role in that.

We're very concerned about the transportation issues, about low-income housing and housing in all areas. I served as a commissioner on the Housing Authority. Hopefully, we will see more low-income housing and moderate priced throughout the whole state.

As a result, we are in the issues, and I feel very strongly and I concur with my two fellow colleagues who've spoken before me that it's very, very important that we communicate what we are doing in Sacramento.

Recently we took a trip up to Sacramento, and it was a legislative retreat. We brought about 30 individuals, members of our business organizations. They came up and in fact, we were in your office, Senator Roberti. We saw your beautiful desk, and even had a picture standing next to it. You weren't there, unfortunately; you were somewhere else.

We had opportunities to talk to both sides of the aisle. Herschel Rosenthal was there, and he was brilliant. We had other members that talked to Marian Bergeson, and we had members all over -- Ken Maddy.

And what we discovered was very interesting, because sometimes the average individual thinks that politicians are buffoons, that you all play at acting like you're trying to be stars.

And we were so impressed those two or three days up there with you people. We came back so impressed by all of you. You were just so dedicated; you were so sincere. You really take your jobs very, very seriously. And that is what the general public doesn't see. And I mean this so sincerely.



I have a television show. I'm very proud of it. I have a public access television show on Channel 3 Cable. It's now been syndicated. You know why it's been syndicated? It's now in the Valley, East Valley, the West Valley, it's not only South, Central Los Angeles, and it's only on prime time.

The reason is because I interview you people. I interviewed Herschel. I've interviewed the Governor. I've interviewed many on both sides of the aisle. You know what? People call. They say, "That's great! When's it going to be rerun again? When will we see that? We're impressed."

I'm telling you from my points of view that we believe very strongly that here's the opportunity to really lay it out, and I think also there will be those that might make some mistakes in front of that camera, but I think it's important.

I also concur with the lady here and Mr. Zelman, that you have talk shows. Get into the press. Just don't stand and look at a bunch of people milling around before the vote comes up. Make it exciting. Get a producer. Do something creative, and believe me, I will heartily support it.

CHAIRMAN ROSENTHAL: Thank you.

Do you think that the business community would be willing to help pay for the cost of providing such coverage?

MS. PYE: Well, I would say that I'm fairly known as a fundraiser, and I think we can certainly find ways and means for something as worthy as this.

CHAIRMAN ROSENTHAL: Thank you.

We're missing one of our panelists, and we will go now to Shirley Shaffer, who is an Assemblywoman with the Senior Legislature.

MS. SHAFFER: Thank you, Senator.

I'm pleased to be able to serve as a Senior Assemblywoman in the California Senior Legislature, an organization which is, perhaps, the best kept secret of California. Dr. Lee Strohbehn, Chairman of the Joint Rules, asked me to speak for the CSL.

The CSL was established in 1980 by the State Legislature to serve that body as their eyes and ears, to be responsive to the felt needs of the fast-growing elderly segment of our citizens. We're 120 registered voters, 60 years or older, and elected by our peers in March of the uneven years for two-year

terms. We're nonpartisan, nonsalaried volunteers, dedicated to seeking legislation which will protect the frail and vulnerable elderly of California.

The CSL's a mirror image of the State Legislature: 40 Senators and 80 Assemblypersons. We have the distinct privilege of being allowed to conduct our annual hearings and floor sessions in our beautiful Capitol building, and are most grateful to the Legislators who facilitate the process each October by chairing some of our floor sessions in their august Chambers.

When the proposals we have submitted have gone through the legislative process, we vote to put those which have passed in a priority order, and our limited energies are then focused on the top ten.

At this point, the Joint Rules Committee, 11 members chosen by their session's standing committees, and the 10-member Legislative Committee approach Members of the State Legislature who might be interested in authoring bills to cover our proposals.

As soon as such a bill is numbered, we all get into the action. The Legislative Committee members develop fact sheets for all our members, visit Members of the hearing committees, serve as witnesses when invited by the authors to do so. All members of the CSL are kept informed about the action so that they may advocate in their own districts and assist in letter writings to the hearing committee Members. If we are lucky enough to see a bill go to the Executive for signature, we write to the Governor as well.

Funds to run the CSL are raised by donations from California taxpayers on their State Income Tax forms, under the heading, "California Funds for Senior Citizens," right underneath "Alzheimer Research". The Legislature imposed a cap of slightly more than \$300,000, the balance, if any, going to direct services to the elderly. And lately, we have raised at least \$100,000 more for direct services each year.

Of the \$300,000, 75,000 is mandated to cover the expenses of the October session. The balance pays for support staff in the office of the Commission on Aging, postage, stationery, plus transportation and per diem for the Joint Rules and Legislative Committee.

All expenses incurred by the members in their own districts are their own donations toward CSL goals. They are not reimbursed.

Up until last year, we had the enviable record of having 75 percent of our proposals enacted into law. It has been a definite honor and pleasure to serve as researchers for the State Legislature, as well as the voices for those unable to speak for themselves in Sacramento.

Because we believe very strongly in the democratic process, we also believe that access to information which has not been condensed and editorialized is a right of each citizen. However, the size of our state alone prohibits access by many to the Capitol, and relatively few of the elderly have the opportunity to see government in action.

The Secretary of State, March Fong Eu, recently reported that in the previous State election, 29 percent of those who did vote were 60 years and older, and 51 percent were 50 years and older. It is obvious that the older citizens take their voting privilege seriously. If they are misled by the media, which compacts news on government to highlight only sensationalism, the process has been thwarted.

I visit many senior centers in my district, and the participants in the varied activities are hungry for news about what is really happening. In my own city of San Dimas, I report weekly to service organizations, fraternal groups, retirement communities, and the 33 cities I serve keep my speaking calendar full. They are all anxious to hear what is going on.

We can't say that all the 60-plus citizens will be glued to the cable channel featuring our lawmakers. Many cannot pay for cable.

But we can say that many of them who use TV as their eye on the world will watch and will then see first-hand what a heavy load these elected officials carry: 4,000 or more bills to study and evaluate; arguments pro and con to weigh; committee hearings galore; sometimes conflicting assignments; frustrations such as cancelled hearings with the consequent loss of witnesses who couldn't stay over for several days for rescheduling, and so forth.

When this hectic yet often productive process is seen and heard, the word will pass to increase the audience, and hopefully there will be an increased involvement of more of the electorate.

Wouldn't it be wonderful if our citizens would actually recognize their own Senator and Assemblyperson on camera? Wouldn't it make you proud to have at least 75 percent of those eligible to vote exercise that privilege?

What problems have to be addressed are technical, legal and fiscal in nature, and I would not presume to testify in that regard.

CHAIRMAN ROSENTHAL: Thank you very much.

Any comments from Senators?

I'd like to thank the panel, and we'll now move on to our second panel, which is entitled, "Journalism or public affairs? How the Legislature can work with the media to enhance coverage of the lawmaking process."

CHAIRMAN ROBERTI: Senator, I have to be leaving to open up a project in my district.

I wish you good luck. We'll be hearing this in Rules.

CHAIRMAN ROSENTHAL: Right.

I want to announce that one of our panelists was not able to get here this morning, Antonia Hernandez from the Mexican-American Legal Defense and Education Fund, MALDEF.

Thank you, Senator Roberti.

We'll take them in the order in which you are sitting. Vic Biondi, the Executive Director of the California Broadcasters Association.

MR. BIONDI: Thank you, Mr. Chairman, Members of the Committee.

I represent the California Broadcasters Association. My name is Vic Biondi.

I think your title, your panel title, may be one and the same thing. I don't think there is a choice between journalism or public affairs. Journalism is the coverage of public affairs. I don't think they're mutually exclusive; I don't think you have to make a choice.

What you asked us to do here is to answer several questions about how the Legislature can work with the media to provide enhanced coverage. I like the phrase, "enhanced coverage."

Senator Alquist, Senator Rosenthal, Senator Beverly, you've all been in Sacramento for some time. The Senate and the Assembly are very comfortable with cameras in their Chambers. You've lived with cameras for years in your hearing rooms and in your Chambers.

I think what we're talking about here is the age of technology and the capabilities it gives you and the Legislature in the use of it. Specifically, I think the Legislature can work with the media by providing basic enhanced coverage in maybe three areas: your Chambers, major hearing rooms, and other major events that happen in the Capitol -- the State of the State message and response to that.

What I'm talking about is an interim use of video for your purposes. It would be, in essence, a video squawk box. You know how everyone has relied on that over the years. I think that's what we're talking about.

Congress essentially uses that now, although the Congress doesn't have the experience -- I guess the California Legislature is somewhat enlightened in this way -- of having cameras in their Chambers. They still don't. They control the cameras.

But I think what we're talking about, our suggestion would be, an enhanced video and audio service of your sessions, of key committee hearings, and major events, made available outside the Capitol in various ways to the widest possible audience in California. Those audiences would be public and commercial television and radio news services, nonprofit foundations like the California Channel that produce their programming for cable service, K-12 education, community colleges, universities. I dare say that the education community in this state could use that facility very well today if it were provided.

The caution that we would make, however, is that the Legislature have no financial or editorial involvement whatsoever in the use of this feed once it left your building. I think that would probably be the best way you could work with the media, serve your purposes, justifiably expand a video and audio record.

We talk about television consistently. One of my jobs is to also represent radio. Radio is an untapped, flexible, very wide resource in California for this kind of service.

You also asked about coverage of legislative issues. We don't show up very well in the polls these days with the kinds of coverage we use. We have our problems.

I was part of that era when there were bureaus in the Capitol. I suppose it's unfortunate that bureaus aren't there now, but I would also point out that the new video news service in Sacramento now serves 15 stations, which is about twice as many that received coverage from the Capitol, even in the heyday of the bureaus.

But I think that argument really is not a waste of time, but beside the point, given technology today. When I was in the bureau, we shot film, and it had to be on the plane to Burbank by 12:30, or it wasn't news that day. Today's news is instantaneous at any time from the Capitol.

Our coverage is confined much of the time to following local significant issues you work on. We probably don't cover it as extensively as newspapers do, but we have a format and controls that are different. That's probably a whole other discussion for us to get into here.

Certainly viewers are interested in public affairs, as you were just told. As small as the number may be, I think the experience of C-SPAN tells you they deserve that extra source of information. I think this could be a beginning to give that to you. The effects of a C-SPAN certainly would be positive.

I would also caution you, as I did in the beginning, about financial and editorial control over an unfiltered look, as it was said. You'll be told this later. C-SPAN is totally independent from the Congress of the United States. It takes the feed -- it makes that part of its cable service -- but every other portion of its service is independently produced with its own equipment. I would urge you to remember that as you look at this.

The problems I can see, you've got to decide if you want that enhanced video coverage. I've spent a lot of time in Chambers with a camera. You people are human beings; things happen. Sometimes they're funny; sometimes they're serious. You have to decide for yourselves if it's proper.

You also have to decide on the cost. Senate Resolution 30 at least sets the tone for your interest in doing this, urges it.

There'll be contention over who controls the camera. As I said earlier, you've lived with cameras. It's something they've learned to live with in Washington, D.C., on who controls the camera. I don't think that's as big a problem as people made it out to be.

I would also urge you to remember that if you had an enhanced video service, do not forget that working radio and television crews still have access, on their own, to your sessions and your hearings. Some examples of good and bad use of this kind of service: the Fresno City Council, for example, is thinking of wiring its hearing room or its meeting room with video. They then told local broadcasters, "We don't want you in the chambers. We'll cover it from the anteroom." That's probably a misuse of the control of information.

Those of us who've been in the Capitol long enough to remember then-Governor Reagan's Student News Conferences, remember those? They hired the cameras; they locked the door of 1190. The press corps wasn't allowed in. They controlled the crew; they controlled the audience. And he'd say things he'd never say to us. It was a serious, serious problem. I think that's something to keep in mind.

A positive example, and something that California has become a model for the rest of the country for, are cameras in courtrooms. It's been in operation for years. It runs smoothly. Communities and local markets have learned how to handle it. I think that should be an example to you.

All in all, I think that you're ready to move into the '90s. I think the technology exists, and to make it mutually beneficial, we offer you our support and help in any way we can.

Thank you.

CHAIRMAN ROSENTHAL: Thank you very much.

Comments?

SENATOR ALQUIST: How would you go about controlling the cameras? How do you keep the majority party from deciding what gets televised and who gets cut off?

MR. BIONDI: I think, as you'll learn later, the C-SPAN model is excellent, although I think it's a little more rigid than you need to be, where you speak in the well at the Senate and the House. I think you can live with three-camera coverage or two-camera coverage of your Chambers.

I think, Senator, people are just going to have to learn to live with the fact there are cameras on. You've done it before.

SENATOR ALQUIST: I know, but I was thinking of an incident in Congress, where Newt Gingrich was making an impassioned speech for television to an empty house. Tip O'Neill made the cameraman point that out.

Suppose the Republicans had been in control of the camera, if they had been in the majority?

MR. BIONDI: Well, I think in the Senate, at least, the Rules Committee seems to be a little bit more broadly based than the other house. I don't think that that would be a problem.

The other thing you'll learn about C-SPAN, Senator, is that if those speeches are made after sessions are over, then it's clearly labeled that it's -- I forget what it is, but you'll learn about that. They've learned to live with that.

And the speech making and performing during sessions has been held to a minimum, just learn to live with it.

SENATOR ALQUIST: How do you know whether they're made before or during a session? I don't know that they're all that clearly labeled.

I guess the other question I would ask you, what's going to be the public reaction to it? Do you think they'll regard it as a self-serving action on the part of the Legislature to publicize itself?

MR. BIONDI: I don't think so.

I think that you're perfectly justified to enhance the video and audio coverage of your operations as a record of your business.

I think the problem will be that if you attempt in any way to control and, editorially or financially, to be the producer or financier of the programming, then you'll have problems.

SENATOR ALQUIST: Judging from past experience, there's going to be inevitable lengthening of speeches on the Floor by some of our Members.

MR. BIONDI: But I think experience shows that that wanes.

SENATOR ALQUIST: You think so?

MR. BIONDI: You learn to live with it. I hope so.

CHAIRMAN ROSENTHAL: All right.

Our next panelist is Tracy Westen, Professor at USC Annenberg School of Communications, who made one of the proposals to us.

MR. WESTEN: Thank you, Mr. Chairman.

As you indicated, I'm Tracy Westen, for the record, on the faculty of the Annenberg School of Communications at USC. I, along with my co-author, Beth Givens, who's in the audience and who oversaw all the research, did a considerable amount of the writing; we spent over two years studying this question. We knew



many of these issues would arise, and we looked at what other states have done, what other countries have done. We looked over the financial aspects, the audience aspects, and so forth, and have come up with this recommendation.

What I want to comment on is, first of all, I want to say that I agree entirely with Mr. Biondi's statements. I thought he made a number of very perceptive and accurate observations, and I second them.

What I want to do is talk briefly about some of our conclusions as to the need for this kind of service in California, based on our analysis of other states, our public opinion polls, focused groups around the state, and other research.

Television is the dominant news media in this country. Two-thirds of all Americans now cite television as their principal source of news; 50 percent say it's their only source of news. So, for people to find out about government -- state government, national, or local government -- television is essential.

Many governments in California, local governments, and around the world have picked up on this phenomena and are beginning to communicate the actions of their governmental bodies through television. In California, for example, according to our research, 122 cities now cover government, local government meetings on government access channels. Seventeen of the 30 largest cities in this country cover the proceedings of their city council meetings and so forth. Los Angeles next month will join that number.

In other states, there are six other states that provide gavel-to-gavel coverage of their State Legislatures. Five states provide gavel-to-gavel coverage for closed circuit in-house distribution to improve the efficiency of their operations. Thirty-eight states provide regular coverage of their State Legislature once a week, once a day, in some cases several hours when their Legislature is in session.

C-SPAN, as you know, for the last ten years has had around-the-clock coverage of Congress, or more recent around-the-clock coverage, and there are now 59 other countries which allow broadcast coverage of their proceedings, and 17 of them have gavel-to-gavel coverage. Many of those countries are smaller than California.

By contrast, in California we have relatively little. California's one of only two states, along with Texas, that provides no public financing for public broadcasting. In other

states, that money is used in part by public broadcast stations to cover the state legislature. We don't have that advantage.

As others have indicated, all the out-of-town news bureaus have closed in Sacramento; although Mr. Biondi's correct that now with technology, we can uplink programming around the state instantaneously.

There is now in California no regularly scheduled coverage of the Legislature, unlike most other states.

Now, in order to get an accurate representation of what stations do, we conducted to our knowledge the only statistical survey of television news coverage in California ever conducted, doing a focus on the State Legislature's proceedings.

What we did was, we video taped the leading newscasts in five markets around the state -- Fresno, Sacramento, San Francisco, Los Angeles, and San Diego -- during eight representative days of the closing session of the 1987 Legislature, which is now two years ago. And then we went over that video tape coverage with a stop watch to see how much coverage was given to specific issues.

What we concluded was that during the peak of the legislative session, when the Legislature was acting on hundreds of bills, the leading newscasts in the state, on television and radio about the same, devoted about 1.7 percent of their news hour to State Legislature coverage.

Now, in some ways that's not too bad; 1.7 percent coverage has to be mixed in with commercials, promotions, weather, national, international, and so forth, news.

The reality is that if you took the entire CBS newscast and put it on the front page of the newspaper, it would cover two-thirds of the paper. A television newscast is very limited in its capability, so they're always forced to make choices between different programs.

But the reality is that, given the pressures of commercial broadcasting, there's only a little room left for coverage of the State Legislature at the peak of session. And there are a number of ironies that result from that. For example, our video tapings showed, on the day the Assembly passed the AIDS school education bill, which was a very controversial and important measure, one Los Angeles station spent two minutes in total on the national cockroach contest, an annual whistling contest in Carson City, Nevada, and on Jimmy and Tammy Bakker Halloween masks. Two minutes for that, and only 15 seconds on the AIDS bill, which was simply a headline.

In San Francisco, one station covered the death of a giant Bullwinkle balloon, and a dog and owner look-alike contest, but spent nothing on passage of the community college system bill, insurance industry reform, the super collider bond measure, and our pollution devices for automobiles, and a ban on sex discrimination. Now, those items that they did cover are fun. I would enjoy watching that kind of coverage, as many people do. But those are the pressures that stations are under to try to meet the entertainment and information needs of their audiences. And inevitably, issues that the Legislature covers, and many other organizations, will get squeezed in the process.

Of 253 bills that year that 60 members of the legislative staff collectively said were the most significant -- we interviewed 60 people, staffers, and got their assessment -- of those 253 bills that were acted on during the closing session of that Legislature, only 15 were covered in any one for all five of the markets combined. Only two or three received coverage in all five of those major markets. Those markets we studied reached two-thirds of California's population.

The point, simply, is that there's very little room on television for this kind of coverage, and I think we will all benefit by enhancements, as Mr. Biondi said.

Now, we also conducted polls on focus groups to see whether people are interested in this kind of programming. I think the results were very strong, in fact, somewhat surprising. According to our statewide public opinion telephone poll, one-half of the people polled said they were dissatisfied with their current source of news on State government and news of California elected officials. Focus groups from four cities around the state supported that. Three-fourths of them said they were very interested or somewhat interested in this proposed new channel. One-half of them said they would watch weekly; an additional 15 percent said that would watch once a day.

If available on cable television, one-fourth of the people we asked who did not then have cable television said they would be more likely to subscribe if this service were available.

So, we think there is a market for this kind of programming, and it's supported by information from other states. In Kentucky, 24 percent of the population watches the State legislative programming. In Nebraska, according to somewhat older figures, 20 percent watch it. And C-SPAN, as you know, now reaches close to 22 million Americans that watch it on a regular basis.

So in conclusion, I would simply say that there is clearly, in our view, a fairly powerful need for this kind of programming. I think the Legislature would benefit from it just in internal efficiency and management terms, as other legislatures have found. Being able to watch hearings from one's office is a time saver. Offices can be linked electronically to electronic mail, and other benefits.

It's an important source of information in a democratic society. The citizenry needs this kind of information to make intelligent judgments.

I think the coverage will show there are many serious and hardworking Legislators who spend many, many hours working for pieces of legislation, and their actions and activities are simply unknown to the public. I think it's important to get that message out.

The Legislature does not have the highest credibility. It should have higher credibility. It's depressing to see that people do not view this State's Legislature in favorable terms. As a result of that, they don't vote; they have a negative attitude towards state public affairs.

I think it's essential that we begin to change that impression. By putting the Legislature on television, I'm convinced, we will begin to reverse that impression, as it has done in Congress, as it has done in many other states, as it has done in many other countries.

Thank you, and I'd be happy to answer any questions.

CHAIRMAN ROSENTHAL: Just a question.

From what you've said, do you think that this will then put more time on television news stations, or will it have to be a different channel and different arena?

MR. WESTEN: We polled television news journalists around the state; we telephoned and talked to many of them. And all of them were supportive of this concept.

And we feel that one of the major benefits is not just that people be able to see the Legislature on a California Channel, but that it would enable television news journalists around the state to enhance and improve their coverage. That's where the real audiences are.

We talked to television reporters. They made that point. Radio reporters also said they would benefit from this; it would improve their coverage. Newspaper reporters said it would improve their coverage.

So, across the board, other media would benefit, and we view this as a partnership with the other media in the state. As this backbone service grows, other media will be able to use it, and it will be available free of charge to them.

CHAIRMAN ROSENTHAL: Mr. Biondi.

MR. BIONDI: I would just like to also answer your question.

I think it's true that journalists would make more use of it to improve their coverage.

To be realistic, though, I would say I don't think you could expect there would be a lot more coverage. If there were a cable system, obviously, it would run continuously, programmed to its own choices.

There will be more material, video and audio, available to commercial and public broadcast stations, but I don't think you should expect there will automatically be more coverage because of that. They still have to make some judgments.

I might caution you on that.

CHAIRMAN ROSENTHAL: Thank you.

Senator Alquist.

SENATOR ALQUIST: I'd ask Mr. Westen, of all the people that ought to be interested in watching C-SPAN, I should be one of them and my colleagues in the Legislature. I never watch it. If I run across it, I turn it off immediately. I've never heard one of my colleagues say that he watched it.

Do you have any estimate of how many people actually watch C-SPAN?

MR. WESTEN: C-SPAN's own figures indicate that they're now watched regularly by close to 22 million people, close to one-tenth of the American population.

I think part of that is due to the fact that Sacramento has not had cable for very long, so that would have something to do with it.

Another phenomenon is the fact that people who work public affairs all day, when they come home they often want a break. They want to look at something else.

People who don't work in public affairs all day are drawn to it.

We found in our figures in other states, as I cited, two other states have run surveys to see the extent to which their population watches. Their figures indicate between 20 and 24 percent of the population watches.

The demographics are interesting: higher in education, more politically active, and more likely to vote.

So, this is not a mass audience service for everyone. I mean, "The Cosby Show" or "Miami Vice" or "L.A. Law" will always attract more viewers, and that's understandable. But as one of our focus group participants said, she said, "I think we ought to have this service. I'm not sure I will always be able to watch it, but I'll be glad someone is watching." That was an interesting comment.

A lot of people felt it was important to have it available when they were able to watch it, and also that somebody else was watching it, that it be available to be a part of society, a part of the information flow.

SENATOR ALQUIST: Another question, different angle of the thing.

The news media almost invariably portrays the Legislature as an ineffective body unable to cope with the really tough issues. We can't do that because we have a small minority of nay-sayers in the house who object to government taking any action for any reason whatsoever.

Do you think that broadcasting our sessions would change this impression in any way?

MR. WESTEN: I have no doubt that it would.

Experience in Congress, for example, has been that the average C-SPAN -- Ed Allen can talk about this -- that when C-SPAN was up and running, Congressmen would continually be walking through an airport and be stopped by people saying, "Oh, congratulations. I saw your statement on this," or "I saw your speech", or "I saw you vote on this."

The feedback is overwhelmingly positive in terms of C-SPAN audience. People like watching it. They have a better sense of the Legislature; they understand it better, and I think the respect for the institution has increased.

And I will add one interesting thing. C-SPAN has a live viewer call-in show in which people telephone from all around the country. Despite the fact that they are three hours ahead of the West Coast, the number one call-in city, from where they get more calls than any other city in the nation, is Los Angeles. Number two city is San Diego, and the number three -- number five city, San Francisco. So, out of the top five call-in cities nationally -- where you have New York, Washington, Miami, all the cities -- out of the top five, three are in California.

That suggests to me there's a very powerful interest in governmental proceedings.

SENATOR ALQUIST: Partly because of this ineffectiveness of the Legislature in dealing with the really tough problems, there's a growing dependency on the part of special interests to use the initiative process. Witness the five initiatives on the insurance problem last year, and the fiasco that's resulted from the passage of 103.

Is broadcasting the actions of the Legislature going to have any effect here, any impact whatsoever, in bringing this problem to people's attention?

And I think this is a serious one, the use of the initiative by special interest groups. And while no one suggests doing away with it totally, with the initiative process, some reform of it is absolutely necessary.

MR. WESTEN: Well, I think you may be right, Senator. The initiative process, as you know, was originally designed in California in 1911 to help get around the special interest's influence at the State level. And now what we see is, it's special interests who are using the initiative process itself. It's somewhat defeatist when you come to that point.

One thing -- I think the existence of the California Channel can help this problem in several respects. First of all, it may not diminish the number of initiatives on the ballot, but what it can do is help voters understand the demerits and the disadvantages of initiatives on the ballot.

The critical question is always: what do people know about initiatives when they vote? Now in the last election, although people predicted widespread and huge delays at the ballot boxes, and so forth, when people went into the ballot box, they knew what they were going to vote for ahead of time. They somehow managed to educate themselves by reading or other techniques as to which they preferred.

With the existence of a California Channel to cover the initiative process, to cover spokesmen for both sides, and interview Legislators and get their comments, I think the badly drafted, poorly conceived initiatives might struggle their way on to the ballot, but they would be rejected by the people as long as they had adequate information.

I think that's the critical aspect of the ballot initiative process. As long as you have the money in California, you can get something on the ballot, but it's not so easy to get it passed. When the public has adequate information about it, I think they will reject poorly thought out initiatives.

SENATOR ALQUIST: I guess the last question I'd ask is the same one I asked Mr. Biondi.

I'm perfectly happy to have the present Rules Committee control the cameras. I might not be quite as happy after the elections of 1990.

How does the minority party protect themselves against abuse?

MR. WESTEN: Well, it's a good question and an important question.

Interestingly, in every state that has provided televised coverage of its proceedings, legislative proceedings, this question has arisen. And it has never, to our knowledge, been an actual problem. It is not seriously a problem in Congress. Once in a while there's been a debate over the camera and which way it's been focused.

But every legislature adopts rules and procedures prior to admitting cameras into its chambers. And those procedures are voted on, and because the coverage is routed internally, the procedures are usually -- have always been fair and equitable, and they simply provide that who ever is speaking has a camera on them. It's very simple.

So in essence, the rules and procedures in a committee hearing, who's recognized and so forth, dictate camera coverage. So, it's no different than your own internal rules. The camera simply follows the microphones.

In Congress, there have been alleged abuses of that by using so-called Special Orders. After the proceedings -- Floor debates are closed, a Member can read a statement into the record after everyone's gone. Some feel that has been used to certain Congressmen's advantage.



California does not have that procedure; it would not be a problem in California.

So, our experience is that, although everyone worries about this issue, and rightly so, it has never turned out to be a problem in any state we've studied. It has not turned out to be a problem in Congress.

After the cameras are installed, shortly after they're installed, they become part of the furniture. You almost forget they're there. They're small, unobtrusive. The lighting is no different. People simply accept them as part of business.

The same is true for courtrooms. People were concerned about cameras in courtrooms affecting the witnesses. People forget about them instantly.

Speeches, do they get longer? There's -- Congress, the Senate, when it put cameras in, conducted, I think, a 60-day study of the impact of the experiment. And they assigned a committee to examine the impact of television coverage on the Senate deliberations on 20 different factors. They found there was no impact on almost all of them. People were -- tended to wear blue shirts and red ties, but apart from that, the impact was virtually negligible. It did not affect the proceedings; it did not distort the proceedings. The speeches in some instances got shorter and more precise.

CHAIRMAN ROSENTHAL: Senator Beverly.

SENATOR BEVERLY: You touched on the question in your remarks answering Senator Alquist by relating your closing comments as to the stature of Congress has been elevated by virtue of C-SPAN coverage.

I'm not clear as to what you based that? You commented about Senators and Congressmen coming home and being recognized.

I guess that's beneficial. I go into a dry cleaner's now, after 20 years in Sacramento, they ask me how's the weather in Washington. It's a little frustrating.

But I don't know if that raises the level or the stature of Congress. It seems to me, the polls I've seen, we're both down there with used car salesmen.

MR. WESTEN: That's true, and what I'm giving you is an informal, personal judgment, because there is no hard data on that question that I know of. Should be, but there isn't. We've looked for it.

What we do know is that very few people in California can identify their elected State representatives, must less identify them by image.

There was a study I looked at a number of years ago that said that all around the world, about 50 percent of all adults identified their leader -- prime minister, tribal chief, king -- by photograph. Only 50 percent could identify their national leader by a photograph. But 92 percent of the children in the United States could identify Fred Flintstone by photograph.

The television impact is enormous. Now, what happens when television covers the Legislature, people begin to see their own representatives, they identify their representatives from their own districts, start listening to what they have to say. They get involved in the issues they're discussing. They sometimes participate in the debate by writing or going to Sacramento. And their involvement in the legislative process, I think, improves their perception of the integrity of the institution.

There's no hard data on that, but there's a lot of evidence to suggest that that's what happens.

SENATOR BEVERLY: Thank you.

CHAIRMAN ROSENTHAL: Thank you very much.

Our next panelist is William Kobin, President and CEO of KCET, Public Broadcasting.

MR. KOBIN: Thank you very much.

For the record, my name is Bill Kobin. I am the President of KCET, which is the largest public television station in the western part of the United States.

In a few days, eight as a matter of fact, to be exact, KCET will be celebrating its Silver Jubilee. During its 25 years of operation, the station has grown from a part-time educational television station, with a minuscule audience, it has grown to a highly respected independent public television station, watched in 2,700,000 homes in the 11 counties of its service areas, which include Los Angeles, Bakersfield, Santa Barbara, Palm Springs, San Luis Obispo, and other major areas.

Although I've discussed with several of my colleagues at other California public television stations the issue that's being discussed today, I will only be presenting KCET's point of view. California Public Broadcasters operate 13 television and 22 radio stations, and they're all independent from each other.

So, our group, as you can well imagine, has a great difference of opinion on this and other matters.

KCET is very proud of its record of coverage, voluntarily and aggressively, of the State scene in Sacramento. Even without correspondents there, our access to the State's decision makers, particularly in the Legislature and among State agencies, is very good.

Our "KCET Journal" and "California Story" series, our reports on the "MacNeil-Lehrer News Hour", and our newest and most ambitious series, "The Year 2000", I think are the best evidence of our interest and access. These programs have treated and are dealing in depth with many very serious issues and concerns, and also with the nature of public decision making. So, I won't bother you with the examples of specific programs, because we try and keep you all informed on what we are producing.

In the selection of topics for production, we are always guided by what the public expresses to be its major concerns. We've always believed that the more the public knows about how it's being governed, the better the government will behave, and the better off we will all be.

So, having readily accessible coverage of State government from which to draw upon for our programs, we feel, will benefit everybody. In general, we welcome the idea of having available the kind of coverage that California Channel is proposing.

However, I would like to take this opportunity to remind the Committee that about ten years ago, before the practice of funding California public broadcasting was abandoned, KVIE, the public station in Sacramento, proposed a similar kind of State coverage, with an additional and very, I think, practical component, which was statewide interconnection with public broadcasting, both radio and television.

In those days of lower costs, that seemed to be a quite feasible proposition, and it still may be, because in our world of information explosion, the average citizen still looks at public television as one of the best in-depth synthesizers of the tremendous amount of detailed information that public activity generates every day.

If a Cal Channel is to happen, wouldn't the public be better served if it did more than simply provide gavel-to-gavel coverage? Public broadcasting might certainly benefit by having statutory access to the raw footage provided by this kind of coverage, but the public would gain much more, I feel, but involving public broadcasting in the staffing for production and editing of the information, in the operation of an interconnection system, and in the training of the specialized personnel which all these functions would require.

But also, since the editorial integrity of the coverage will be one of everyone's major concerns, public television's involvement might also help to serve in safeguarding against the possibility of partisanship or manipulation, or at least that perception.

However, if public broadcasting were to be involved in this kind of production, it should not entail additional costs to the stations. It should provide for them the opportunity to acquire a permanent presence in Sacramento, where so much that concerns and affects the public television viewers is always taking place.

I'd like to be able to close with a historical footnote, which I think isn't totally unrelated to these comments; a very short review of how the State of California has assisted public broadcasters, even in its most general periods. And you've heard, of course, that California and Texas are the only two states that did not support public broadcasting.

Between 1979 and 1983, when there was such support, that support totaled \$3,752,400. Of this total, a certain percentage went to support the administration of the California Public Broadcasting Commission, which was created to distribute the funds.

The public television stations pooled their grants to create a weekly analysis of State government issues. And what was left, which was quite little, went to support their local programming.

In the past decade, the State of California has invested a total of one penny and four mils per person per year for public broadcasting. And at least in our case, I think it's gotten a pretty good return for that investment.

In comparison, the New York State Legislature, several years ago, adopted a new rate of \$1 per person per year, because the previous rate of 75 cents was found to be insufficient for the needs of their system.

So, I thought it might be appropriate to point that out today. I thank you very much for the opportunity to be here.

CHAIRMAN ROSENTHAL: Thank you very much.

Our next final participant on this panel is Jess Marlow, KNBC.

MR. MARLOW: Thank you.

I'm Jess Marlow from KNBC, Channel 4 News, speaking for myself and not for my employer.

I would share the concern about the lack of coverage of the State Legislature. I not only think it's incredible; I think

it's shameful. And it's particularly unfortunate that the three network-owned stations, who would be most likely to be able to afford it, closed their bureaus there. I think our public was better served when those bureaus were open.

It would, however, be difficult to really justify when you are running a news department the expense involved in maintaining a bureau up there, particularly when so little of what was produced was used. That, I think, falls to possibly a lack of interest on the part of the public, and I think that needs to be encouraged. And I think one way to encourage it is by being very judicious in what you present, being very careful, but it has to be done with a camera.

There is no question, there is no justification for television except for the camera. And if we have legislative stories today, but no camera coverage of that story, most producers of television newscasts are not going to give you that story. Certainly if two stories are of equal value, and you've only time to use one of them, you're going to use the one that has a video program, the one that has a camera.

So, it is critically important, if we're going to have more coverage of the California Legislature, that we have the cameras there. And if the camera is there all the time, I can assure you there'll be increasing coverage of the Legislature, too. If we could simply tap in on the occasions when we know there's an important issue being discussed, particularly when our local Legislators are involved, if it's an issue of special local interest, then certainly that is going to get more coverage on all television stations. I don't think there's any question at all, especially if it's a service that doesn't cost the local stations. There is a tendency to like to use those stories as well.

One of the problems in programming television news, and it is a problem that our friends in print don't suffer, is that we have to -- you can't pick and choose. You can't go to the Sports Page first. You can't read only those issues that are of interest to you.

We have to maintain that audience interest from the beginning of the broadcast to the end, and we -- obviously, we'd like to maintain the largest possible audience's interest. And even as a reporter, I'm not at all ashamed of the fact that we seek to get those high ratings. We want the largest number of people watching it, because if you're in the business of communication and nobody's watching it, you're not in the business of communication. So, we have an interest in maintaining that audience, and maintaining it throughout the broadcast.

Most producers of television news broadcasts will scatter the important stories throughout the hour, or in the case of the networks, throughout the half-hour, partly for that: to keep the audience's attention.

If you go to a deadly uninteresting, insignificant, unimportant debate in the California Legislature, you're going to lose about half that audience, so it has to be handled carefully. It has to be edited. You have to choose those items that you think are of the most interest generally, and most interest specifically to your audience that is concerned about that issue.

We have a problem in Los Angeles television -- not unique to Los Angeles, but I think most profound here -- in that we try to serve far too large an area if you're going to do local news. We not only have to be concerned about Los Angeles, but the County of Los Angeles, plus San Bernardino, Riverside, Orange, and Santa Barbara.

And the one element that, it seems to me, would provide news of interest to the entire region is the State Legislature. I think we could persuade producers of broadcasts that that is the one issue that will be of general interest to that broad, general audience.

We've now tried to open bureaus -- we have one in Orange County and one in Ventura County, but back in the late '60s, when we first began that process, we thought we would go to Orange County each night for five minutes of news about Orange County. If that worked, we'd go to Ventura County. We would do a regular block that way. I opened the bureau for KNBC in Orange County in 1966, and we did five minutes out of Orange County every night, and you could hear the sets click off throughout every other region other than Orange County when we did that.

So, we had to select issues that were of broad general interest. If I wanted to talk about the growth problems at the Orange County Airport, before it became John Wayne Airport, I had to relate it to the issues with small planes at Van Nuys, or the issues of growth at the Los Angeles International Airport, in order to keep that audience's attention.

So, there is a real reason to want to cover the Legislature, to cover a story that is of broad general interest, and you have those stories.

I think our newscasts would be enhanced. I think the audience's information on issues would be greatly enhanced.

I even suggest that the Legislature might be enhanced. I think you would benefit from having voters, and having people who are interested in those issues, see the interest you have in them. See that most Legislators are diligent. I think we would also weed out some who are not. I think if some of your Members were exposed to the public for any length of time, they might suffer at the polling place, too. I think the Legislature would be greatly enhanced.

Senator Alquist's concern about the initiative process has generally been blamed on the failure of the Legislature. There is also the concern that the California Legislature is the

captive of special interests. This would afford you an opportunity to prove that that is not so, if indeed it is not.

But beyond commercial television stations' interests in having access to video from the Legislature, I think that select audiences that really want to know in detail what's going on in the Legislature ought to have an opportunity to be able to turn it on, as you do C-SPAN, and find out for sure. Those people have friends. They, too, spread the word.

I think California generally would be the beneficiaries of this kind of attention, of this kind of coverage. I would strongly encourage you to consider it.

Finally, I would suggest, as the others have, that it must be editorially neutral. I can assure you that if it is not, if I had anything to do about it, we wouldn't touch a bit of it. It becomes nothing more than an electronic newsletter if you control the editorial contents and we continue to use it.

Thank you.

SENATOR ALQUIST: Mr. Chairman, I'd like to ask Mr. Marlow a question on this.

You know, one of the issues on pieces of legislation that stirred up the most interest, judging by the mail we received, was the one banning assault weapons.

I'm sure that you mentioned the fact that that bill passed the Legislature, in spite of a lot of opposition. But how many of those speeches that we had on the Floor would you have broadcast?

MR. MARLOW: I must tell you, we certainly would have broadcast at least two of them, because of the interest in having both sides of the issue.

SENATOR ALQUIST: Did you broadcast Senator Roberti's presentation of that bill?

MR. MARLOW: I can plead ignorance, because I was out of town at that time, so I'm not sure.

But my guess is, yes, certainly, we would have, and we would have broadcast the opposition as well. And probably the most outrageous Member of the opposition would be the one who's getting the most attention.

SENATOR ALQUIST: Anyone on the panel, I haven't brought this up before, if you offer editorial comments at the end of our broadcast of the session, and put your own impression on the whole performance, you might, if you had some ulterior motives, completely change the intent or purpose of the debate that went on in the Legislature.

Is that a possibility?

MR. MARLOW: Certainly that's likely to happen. If the audience receiving us has had an opportunity to see it and make their own judgment, that's far less likely to happen than it would today when there is no coverage.

It's far easier to make fun of you people when they haven't had a chance to see you.

MR. WESTEN: I second that comment.

C-SPAN experience, and we now have ten years of C-SPAN transmitting coverage of Congress nationally, that has not happened. The reason it's not happened is, C-SPAN and Congress both know that if C-SPAN's coverage were ever biased or slanted in any direction, Congress could simply throw the switch and cut off the coverage.

It's essential for the continuation of this service that it be neutral, and fair, and balanced. If any kind of partiality creeps in, the service can easily be stopped. Everybody knows that.

SENATOR ALQUIST: There's always a question of who is biased. Who decides that this is the wrong approach to this problem, or that this self-serving, or is it really in the public interest? Who decides that?

Now, Mr. Zelman's impression of the public interest might be entirely different from the legislative speaker on the Floor, talking about the intent of his legislation. And that editorial commentator could certainly put his own twist on his interpretation of what was said.

MR. WESTEN: That's why we think the backbone of this whole service should be live, uncut coverage of what actually transpires.

If this Committee hearing, for example, were being telecast today under this proposed California Channel, the camera would simply focus on each person who was speaking at the moment. It's no more distorted than that.

The concerns about imbalanced coverage are, in a sense, the same as imbalanced treatment in a hearing. A minority member might say, "If I join this committee, how will I know I will get fair treatment by the chairman?" It's the same issue.

When these rules have been worked out over the decades, then Legislators are generally treated fairly. All the camera would do is focus on the speaker.

CHAIRMAN ROSENTHAL: Mr. Biondi.



MR. BIONDI: I think, Senator, you take that risk every day. I think you have to look at this in the larger perspective. You take that chance with print media. You take that chance with the limited way we cover politics now, as Jess said. There isn't video tape; there isn't television coverage.

All you would do is provide the raw event, and that's all you would be involved in. You have to take your chances. You do it now.

We can do far more damage to you without seeing you, in ignorance, than we could do if there's a source available.

Really what Jess is talking about is, the more available, the more widely the coverage. I don't think, with all due respect to the question, if you think seriously, you couldn't expect that not to happen. All you would be doing is providing a video record of what's going on. You have to take the chance.

Of course, we have to live with the fact that you would control the cameras, and there would be all these internal problems, but you take that risk now; don't you?

CHAIRMAN ROSENTHAL: Mr. Kobin.

MR. KOBIN: It seems to me that on this part of the discussion, two different things are getting mixed in together. One is gavel-to-gavel versus produced television programming -- either a short piece, or 20-30 minute programs -- and the other is origination versus use. And specifically what I think -- I think we're all essentially saying the same thing: what we are focusing on is gavel-to-gavel origination, not packaged programs where there is obviously some considerable flexibility for editorializing. Or, the use of this feed, so to speak, when it reaches the user. The user in this case being a program -- a station packager of information versus the individual who's watching the straight gavel-to-gavel feed.

MR. BIONDI: Actually, you'd have both; that's the point.

MR. KOBIN: That's the point. You'd have both kinds of uses, but you've got to separate them from each other.

MR. BIONDI: You'd have the camera on each time you met, all the time, and make it available to the California Channel, to KNBC, to Cal. State Northridge, or a high school. That's really your service.

CHAIRMAN ROSENTHAL: Senator Beverly.

SENATOR BEVERLY: Mr. Marlow, you suggested how you might use the coverage of our sessions.

How do you use C-SPAN coverage of Congress now?

MR. MARLOW: Exactly the same way. If there are issues of local interest, particularly, we'd cover the local newscast. We would excerpt portions from C-SPAN. We take it, at no cost to us, and we credit C-SPAN with it the way we use it to give visible coverage to the story we want to do.

SENATOR ALQUIST: I'd just offer one other comment, not directly related to televising the Legislature, but concern about the overall freedom of the press, what there is: do we really have that any more? Or, whether it's just freedom of the publisher or freedom of the broadcasting company that dictates pretty much what appears in the newspaper, or what appears on your broadcasts.

What effect, if any, would broadcasting the Legislature have on this tendency of the news media to be so critical of the Legislature?

MR. BIONDI: No guarantees.

MR. WESTEN: I would say that, as A. J. Liebly once said, that freedom of the press belongs to the man who owns one. And there's considerable truth in that.

If the Legislature agrees to televise its coverage, in a sense it is in the publishing business. It is now saying, "We will transmit coverage of ourselves intact, without editing, and let everybody see what we do." So in a sense, it enables the Legislature to put itself in front of the public instead of just having someone else put it in front of the public.

I think that's a plus that adds to the entire mix of the service.

MR. MARLOW: The real key to broadcast freedom of the press is competition, and there has been heightened competition in broadcast news in the last 25 years, since I covered you in San Jose. And certainly, it has increased in the last 10 years dramatically, and this would even further heighten the competition. I think the freedom of the press is enhanced mostly by the competitive nature of the press.

CHAIRMAN ROSENTHAL: Just a final comment.

Since the news industry and the public would benefit from this system of televising the Legislature, the next question is: should the public pay for it? Who should pay for it? Any comment?

MR. BIONDI: I think it makes sense for the State to pay for what you internally put together: cameras, crews, facilities.

When it goes out the door, that's another matter.

You can ask the C-SPAN person what the arrangement is in terms of feed, use of the feed, that kind of question.

I think, yes, you're probably going to have to pay for equipping the building.

Its uses, the California Channel Foundation would finance itself. The news service in Sacramento now finances itself. I think that's the model I see.

MR. WESTEN: We recommend a kind of partnership in this. All of the interested parties in a sense would contribute toward it.

We think that the Legislature, even if it did not distribute television coverage around the state, it would be cost efficient and beneficial to install the cameras and distribute the program internally, as the Canadian Parliament does, the Australian Parliament does, as a number of other states do.

In terms of efficiency, management efficiency, it's clearly worth it and it's cost justified. Just as you've converted to computers, it's cost justified just as converting to an advanced telephone dialing system is justified, and so forth.

Our proposal is that the Legislature install and operate the cameras because you'd benefit from that. A nonprofit, tax exempt foundation would raise the money to distribute that programming around the state. Cable operators would ultimately chip in a small percentage to support the service, and ultimately cable viewers would participate in that and share some of that cost. In a sense, viewers, cable operators, foundations, corporate underwriters and the Legislature would all play a role in this. We think it's a shared partnership.

MR. KOBIN: It seems to me that this kind of coverage really should be regarded as a part of the educational system. To me, it's a form of education in the purest possible sense: watching the State government in action is a civics lesson, and as such, just as we pay for the educational system, a portion of the educational system, I certainly think we should pay for our portion of this also.

CHAIRMAN ROSENTHAL: Any further comments? I want to thank you very much for your input. We appreciate it.

We'll go to Panel III now, but we'll take a five-minute break first.

(Thereupon a brief recess was taken.)

CHAIRMAN ROSENTHAL: We have our third panel. The title of this panel is, "What other government entities have done to increase television coverage and public awareness of the lawmaking process?"

Our first speaker in the order will be John Thomas, Executive Producer of Florida Public Television.

MR. THOMAS: Thank you, Mr. Chairman.

I'd like to express my pleasure, coming all the way from Florida, to tell you about our experience there and what we have gone through.

Our flagship program's called "Today in the Legislature", and for the sake of convenience, I'll call it "TITL", our acronym for it.

It first aired in 1972. The program responsibility lies with what's called the Florida Public Broadcasting Service, Incorporated. This is an organization of participating public television stations throughout the state. The producing agent is Florida Public Television. Florida Public Television's productions facilities are located in studios on the ninth floor of the Capitol building. These studios house over \$2 million worth of state of the art television production equipment. Florida Public Television maintains a full-time staff, 20 persons year around. During the legislative session, that number at least doubles with the addition of part-time people for the production of the program.

The Legislature, which meets for 60 days in April and May, contracts with Florida Public Broadcasting for the production of this program on a six-month basis, from January 1 through June 30th. The funding is provided, if necessary, on an individual basis, or in a special order for extended session coverage.

Our budget for this program for this year is \$466,000. It's been our experience over the last seven to ten years that we have come under budget anywhere from \$50-90,000.

The State Department of Education, on the other hand, contracts with Florida Public Broadcasting on an annual basis for the production of governmental affairs documentaries and cover special projects. That budget is slightly in excess of half a million dollars. Much of the programming we do under that contract relates directly to issues and involves Legislators and the legislative process.

Our program is fed by satellite to Florida public television stations each weekday evening during the legislative session from 8:00-9:00 P.M. The individual stations, of which there are 11 across the state, air the programs according to their schedules. Most of those programs are aired at 10:00 P.M.

I might add that Florida public radio feeds a half-hour nightly legislative program during the session, touching on many of the issues after our program.

SENATOR ALQUIST: Excuse me.

Would you pull that microphone a bit closer to you. I have a little hearing difficulty.

MR. THOMAS: Yes, sir.

Our nightly program format is structured to resemble, if you will, an extended version of a well-paced, balanced newscast, utilizing professional and contemporary production techniques that television bureaus have come to expect. We average 12-14, three to four minute news packages per program, touching on the issues that we have to consider from a journalistic standpoint to be the most important, most interesting, to the people that day. Our reporters are experienced broadcast journalists who are held to the highest standards of fairness and balance, as in any other professional news organization.

We've touched on this earlier, but I think it's very important. A brief phrase in our annual contract with the Legislature, in my view, represents the cornerstone of our program's success and acceptance, and that is, "The content of the program shall be the exclusive and sole prerogative of the management of the corporation," the management being Florida Public Television, our production unit. We're speaking there of editorial content. We do appreciate the enormous scope of that responsibility.

Our program is transmitted, as I've said, by satellite, using one of only nine uplinks which compromise the Public Broadcasting System. It's important to say that most of this uplink time is provided free of charge by PBS, the Public Broadcasting System.

Eight additional half-hour channel programs are transmitted on Saturday mornings in Spanish, featuring members of the Hispanic caucus. Also, other panel programs are produced featuring members of area delegations, such as Dade County's delegation, the West Palm delegation. These are produced and sent to those individual stations and aired on a weekly basis in those markets, addressing local issues. That's available to other delegations if they want to make themselves available.

All 160 members are invited to appear on the nightly program to make brief comments about their legislative programs, goals and constituents. We call that segment "A Closer Look." We also provide on-air calendars of selected upcoming committee meetings and agendas for the following day's activities.

A pre-session call-in program we produce each year, usually on the eve of the legislative opening, we usually feature the House Speaker and the Senate President. They answer questions, live, from viewers all across the state about issues that they consider to be prominent or of priority in the upcoming session.

Aside from program production, the Capitol complex is provided live coverage of Senate and House sessions, gavel-to-

gavel, and selective committee meetings throughout the 60-day session. Offices which are equipped with monitors throughout the Capitol complex, and most are, can receive these signals and keep abreast of the daily activity of the Legislators.

In addition, these signals are provided to two huge screens in the rotunda so lobbyists and other interested parties can view the activities going on in each chamber.

If I could, I'd like to share with you just some brief results of a survey of viewers and Legislators about our program.

The primary reason given for viewing our program remains, as in years past, to gain news and information about the Legislature. Seven out of ten viewers continue to rate the program as fairly interesting to view. This figure has been at this level for quite a number of years.

The profile of the "Today in the Legislature" viewer reveals again that the program appeals to both males and females in equal numbers. In contrast to other public television programs, this sample is much younger than the usual public television audience.

The "Today in the Legislature" viewer is better educated than the general population, usually white, and very interested in political affairs. The heavy "TITL" viewer is likely to have a professional graduate degree, is a middle-aged male, and likely to have helped a candidate in a recent election.

Nine out of ten Legislators responding were in favor of continuing this program. That level of support has been constant for many years.

Tallahassee and Gainesville are the two markets with the highest program awareness scores. Given the larger upscale populations of Tallahassee and Gainesville, it is not surprising that these two markets have such high awareness levels. I might say these are the sites of the State's two flagship universities also.

The main reason for viewing "Today in the Legislature" is that the viewer seeks news about the Legislature, 70 percent of those responding. Another 33 percent of the sample said that they view the program to learn about the Legislature itself.

The program viewer, without a doubt, is a member of one of the most elite audiences in television: most have been to college; about one-third has been to postgraduate school. While the typical public television audience is often comprised of a large portion of older women, our program audience is skewed more male, 54 percent. The age of the "TITL" viewer tends to be middle-aged rather than elderly. In terms of income, the "TITL" viewer is quite well off, almost 40 percent reported incomes beyond the \$30,000 range.

From the surveys it's quite clear that the "TITL" viewer is interested in and participates in the political process. The most consistent finding through the years continues to be that the "TITL" viewer participates very actively in the political process.

When asked about the presence of the cameras -- and this has come up before -- 6 percent of the Legislators reported being distracted by them throughout the session. In addition, another 4 percent reported being distracted by the cameras early in the session, but said they got used to them as the session progressed. It should be noted that 90 percent of the Legislators report not being bothered by the cameras.

So again, it's safe to conclude that the "TITL" telecommunication gear has continued to be unobtrusive at least in the chambers. And I will say that this is not blanketly true in the committee rooms, because those rooms are much smaller, the lighting is much more intense, and there has been some comment, but I think that is subsiding because of the improvements in the lighting and the diffusing of the lighting that technology has provided us with.

While there is some perception of grandstanding for the cameras by the Legislators, especially Legislators suspected of running for higher office, the general conclusion by most Legislators seems to be that grandstanding afflicts only a minority of their peers.

We talk about audience and who we reach. Public television in Florida, all of the stations, like to use a figure that's been pretty well researched, that public television reaches 97 out of every 100 Floridians. I will not begin to sit here and tell you that 97 out of every 100 Floridians watch our show, but they have the potential for it because we are blanketed in every major metropolitan area with public television stations.

The question came up, who does watch? How do we gauge how many people are watching?

We do have numbers. But just having numbers for public television shows, particularly public affairs programs, and the market is very important to us. I cannot give you raw numbers about how many viewers watch our show across the state, but having numbers is very encouraging to us.

I would like to also mention and touch on something that came up earlier, and it's in the proposal. I think you have it. The material that would be produced in covering the Legislature would be made available to commercial stations, educational institutions. This is a very peculiar thing we have in this state.

I am not allowed to release any taped material to anyone without the written consent of the Senate President and the House Speaker. The reason for this, I am told, is political. They're afraid that taped material that is paid for by the public, paid for the production by the public, could be used by a political candidate in a political commercial to advance his political position.

The other reason they don't like to see the material released into the hands of the commercial people, and I was a commercial news person for some 20-25 years, is they are suspicious, very concerned about the editorial judgments that might be used in editing that raw material that they get from us. So, for those reasons, they maintain very tight control over who gets that material.

It can be released. It's a formality. We release a lot of it, but the Senate President and the House Speaker know and approve or disapprove releasing that.

We can touch on, and I suppose you'd like to hear, what happened in the early days? Why did the Legislature decide to do this?

I think it was the initiative of our public broadcasting people who traditionally have felt the responsibility of providing programming alternatives to the general public, especially in the area of the arts, education and information. Obviously, they were able to convince the Legislature, and in 1973, they allowed the cameras in. We have been going on, I think, very successfully ever since.

CHAIRMAN ROSENTHAL: Senator Beverly.

SENATOR BEVERLY: I'm not clear from your remarks how you handle the gavel-to-gavel coverage? Who gets that?

MR. THOMAS: By terms of the contract, we have to provide gavel-to-gavel coverage of the House and Senate whenever they are in session, but it goes through a closed circuit complex throughout the area there. Any Senator, or any representative staff members that have a monitor that can receive that, and they can because they have two modulators -- the Senate's on Modulator 2, which is a technical matter of control. The House has its own modulator 4. So, if something is happening in the House or the Senate, they go on these modulators, they feed to a common trunk line, and are dispersed throughout the Capitol complex so that everyone who has a monitor can watch that activity.

SENATOR BEVERLY: Are the modulators available to lobbyists in their offices as well? I assume not.



MR. THOMAS: Anyone -- if it's so equipped, and they're into that line, they can have it.

SENATOR BEVERLY: How do they get access to it?

MR. THOMAS: They just tap into it. This is a problem also, because those lines, over the years, people have gone and snipped the lines, tapped in. We don't know who has them. We have no idea who has them.

We get calls from the Department of Transportation, from the Department of Rehabilitation Services, wanting access to that.

The Senate President and the House Speaker, the leadership, tries to maintain control of that, but it's like our program signal that goes up on West Star 4 on the satellite, it goes all over the world. I've seen it in the master control rooms of commercial television stations all over the state. And if they wanted to, they could pull it down.

But the statutes, Florida statutes, it's not available to them. It also says that candidates cannot use that material for political purposes, but as we know, unless the people are caught, unless the opponent makes an issue of it, sometimes it probably goes unnoticed.

It's something they do to protect themselves. At least it's in the statute; it's a law; it's a rule, a policy, but controlling it is another thing.

SENATOR BEVERLY: Is that limitation a unique situation in legislative coverage in states generally where it is available?

MR. THOMAS: I don't have data on that, but it would be my judgment that it probably is pretty unique.

SENATOR BEVERLY: Is unique.

MR. THOMAS: Yes, sir, and it has been the subject of a lot of controversy from commercial broadcasters, because they have the feeling that they should have access to any of that, because they think it is public record. However, it has been exempted from the public record laws, the tapes and materials, by the Legislature, by law, exempting that material from public records laws.

SENATOR BEVERLY: When is your session?

MR. THOMAS: Our session is in April-May, a 60-day session.

SENATOR BEVERLY: Maybe we'd better go back to that.

CHAIRMAN ROSENTHAL: Senator Alquist.

SENATOR ALQUIST: How long did you say you've been covering the Florida Legislature?

MR. THOMAS: Coverage started in 1972.

SENATOR ALQUIST: That long?

MR. THOMAS: Yes, sir.

SENATOR ALQUIST: Did you see any increase in voter turnout as a result of covering the Legislature?

MR. THOMAS: I don't have data to indicate that.

I might say that when we started out, it was very archaic coverage. We were in the old Capitol, so to speak, and it was more like the electronic news gathering. One could see news cameras covering the events, running around with portable material, running it back and taping it, and sending it by phones to whatever stations you covered.

When they built the new Capitol, they accommodated us. It was the entire space on the ninth floor, ran all the lines, and paid for all that, to accommodate our coverage.

The result is that it's very hard in terms of voter reaction, improved voter turnout. I like to profile our model viewer as a member of the League of Women Voters. It's that kind of person, I think, that watches it. People who are really interested in politics respond to us. Those are the people we get the mail from, pro and con.

I really feel that these are the people who, not only in their own organizations are voters, and are very active in the political process, but they are also people who spread the word. I can't help but think if they're interested in what we're doing, they're going to spread the word on specific issues.

SENATOR ALQUIST: Well, the question is, does it have any impact at all? Is there any evidence of increased interest? More mail to the Members of the Legislature as a result of your broadcasts?

MR. THOMAS: I really can't judge that.

SENATOR ALQUIST: Can't say.

MR. THOMAS: No, sir, I really can't.

I can only say that I think we have a very specific audience out there. We can't hope to try to compete with "Dallas" and "Knot's Landing." Those aren't the people that are going to watch us. So, we can't expect a mass audience.

We hopefully, as someone else mentioned, are providing an educational and informational service to people. It's an alternative. It is available to them. It is available in every market in the state, and it's available in prime time. To me, that's very important. It's for those people who want to seek it out and view it.

SENATOR ALQUIST: I guess what it all boils down to in the final analysis is the cost benefit ratio. Is the cost of providing this service worth it? Are enough people interested to warrant the expenditure?

MR. THOMAS: I would say that by looking at the track record, the fact that the program has been funded successfully since 1972, that the Legislature must feel that it's worth it. There is some benefit there, probably as a service to the people of the state.

CHAIRMAN ROSENTHAL: All right, Susan Herman, Los Angeles Department of Telecommunications.

MS. HERMAN: For the record, I'm Susan Herman, General Manager of the Los Angeles City Department of Telecommunications, and I thank you very much for inviting me here this morning.

You've asked me to talk a little bit about what Los Angeles City is doing, so I will do that. But you also asked for any advise, so with that free opportunity, I'm going to take the liberty of starting with my free advice.

As a citizen of Los Angeles, as your constituent, Senator Rosenthal, and as General Manager of Telecommunications for the City of Los Angeles, and as one who oversees the Council video coverage in the City of Los Angeles, my words are simple and in two words: Do it.

We have started an in-house test in the City of Los Angeles, as has been noted in earlier testimony. We are going live to the public October 11th of this year. We started with our in-house test on September 6th.

It is a live, gavel-to-gavel coverage of our City Council, with the cameras focusing only on the recognized speaker.

We reach a potential audience of over half a million, and those half-million will have the opportunity to see about 140 Council meetings in a given year.

The Los Angeles City Council said, in charging us with this responsibility, that they felt Council video coverage was important, and I'm quoting, "to enhance the awareness and education of the general public regarding the actions and deliberations of the City Council."

In 1988, my Department was charged with the responsibility to begin the management and operation of this. In May of '88, the funding was authorized for the purchase of equipment, and about a year later we began the funding for the contract staff and the video graphics system, which we called "CITYTEXT", which will appear when Council video is not on the air.

In total, the Council video project has cost approximately \$670,000 in equipment costs; about \$120,000 in staffing costs and operating costs; and less than \$50,000 in construction and renovation costs.

I am pleased to add and underscore that none of these dollars came from the taxpayers. This was, in fact, supported by the cable operators in our city. The cable operators had this obligation in their franchises with the City, and have cooperated greatly with us in this effort.

However, if this was something that was borne by the cable subscribers that would have this available to them, we calculate that it would be no more than 52 cents per year to receive 140 meetings of the Council at a minimum, which is about equal to the price of two postage stamps.

I'd like to underscore the cooperation of the cable companies that played in the quality and success of Council video. A key element of Council video coverage in the City of Los Angeles is an interconnection of our 13 cable systems that serve the Los Angeles area. All 13 of the cable operators constructed this microwave and fiber optic interconnect in the City of Los Angeles. It is really the largest of its kind in the United States, and it is also one that was constructed on time, and done, again, at the expense of the cable operators. No expense to the taxpayers.

While the Department of Telecommunications and its four-person staff have the responsibility to generate the signal for the Council video, it is the cable companies that actually distribute that signal to all the cable TV households. In addition, the signal that we do generate is a signal that can be picked up by all the broadcasters who wish to pick up on the signal.

We believe that this cooperative venture has worked. Thus far, we have received nothing but positive comments, even from some of the original skeptics. I believe it's because of the quality of our Council video system gives it credibility. I think that relationship between quality and credibility is an important one.

As I mentioned before, the system is a six-camera remote control system. The cameras are Sony M-7 chip cameras and are mounted on Vinten pan and tilt heads. In layperson terms, what that means is that we have our cameras discreetly mounted in our Council Chambers, respectful of the landmark status of our Chambers, as well as of the integrity of the proceedings that are going on.

The cameras move silently and almost, apparently, without anybody operating them. In fact, ensconced above the Chamber room on the 4th floor is an engineer, a technician, a producer/director, and one computer graphics artist. Therefore, one of the real pluses of our system is that it is, in essence, out of sight and out of mind. In other words, it is not something that is obtrusive in the proceedings.

I'd also like to underscore that the system we have in the City of Los Angeles is a system that previously existed in the Australian Parliament, the Swiss Parliament, the House of Lords, and now the Los Angeles City Council. We are the first in the United States to have it. Again, it was because of our belief in the quality lending to the credibility of our coverage, and our viewability and attractiveness to the potential audience.

The equipment we have purchased we expect to have exist for a period of 15 years, with proper maintenance and repair.

When Council video is not in session, we air "CITYTEXT". "CITYTEXT" is a dynamic graphic computer system which has the ability to take video clips, or photographs of other material, and make it almost like a billboard, with the graphic information: information on lost dogs; how to deal with lights out in the community; how to become a block watcher, and so forth. It provides information about City services, events and opportunities.

We are presently exploring the need and the cost involved in providing committee coverage, which is a second part or the second phase of our Council video coverage. And it's been already noted, this would require additional wiring and additional cameras, but there's already a motion on the floor of the Council to increase our exposure to the public to let them understand the inner workings of the government by presenting committee coverage.

I'd like to note that two and a half years before we did Council video coverage, we did a thing called COUNCILPHONE. COUNCILPHONE is a service that permits anyone to dial 621-CITY, C-I-T-Y, and hear gavel-to-gavel live coverage of the Los Angeles City Council. Theoretically speaking, you could be on vacation in Europe, and use the international dialing code and you could actually hear the Los Angeles City Council in session.

The point was that this was a way to even expand the audience to allow people to listen to our City Council, should they not have a video opportunity.

We're very pleased to have a lot of very positive reaction to Council video so far. Recent editorials on KNX radio, as well as KJH-TV have heralded our efforts of coming into the 21st Century with the use of this technology to better communicate with our citizens.

Citizens have expressed great anticipation and interest, probably mixed with some curiosity about how our City Council actually works.

I think that basically what we have seen is that it's something that benefits all of the people involved. I would like to also note that we feel that it is something that allows us to kind of balance the inequities when there isn't good media coverage of City Council events.

We also feel that it's a way to allow citizens to be able to have access to government when they are home-bound, transportation locked, or can't afford to get downtown, or whatever. For example, the League of Women Voters has now, with the advent of Council video coverage in Los Angeles, they're going to be assigning their members to sit home and watch, and be able to participate that way as opposed to having to travel downtown.

There are a number of cities in the Los Angeles area who provide coverage of their city councils. The list is long and would probably take up the rest of my speaking time listing them all for you. Suffice it to say that I think there are a number of us in this area who come to you today, telling you that we think this is worthwhile and very positive.

As a final personal aside, I'd just like to say that my Los Angeles City Council looks darn good on video. By the way, they don't need to wear blue shirts and red ties because of the quality of the system that we have purchased. Frankly, I believe that they look strong and dignified in the sunshine of our Council video coverage.

I invite you to view it and to appreciate what we have done, and hope you'll join me in my enthusiasm for Council video coverage and legislative coverage.

CHAIRMAN ROSENTHAL: Thank you very much.

Any comments? Senator Beverly.

SENATOR BEVERLY: How long have you been doing it?

MS. HERMAN: We started in-house September 6th, going live October 11th.

SENATOR BEVERLY: You don't have any kind of surveys as to who's watching?

MS. HERMAN: Just letters at this point; letters to make it happen, basically, then from staff and City Council people who see themselves on the in-house system test.

SENATOR BEVERLY: It's on cable only?

MS. HERMAN: It'll appear on cable on our Channel 35, but it is also -- the COUNCILPHONE service is available for those who are not cable subscribers.

SENATOR BEVERLY: I gather without knowing that your cable franchise, you have different cable operators in different areas of the city?

MS. HERMAN: Right, there's 13 cable operators in the City of Los Angeles.

SENATOR BEVERLY: Exclusive to a geographical area?

MS. HERMAN: Yes, there are different franchise areas.

SENATOR BEVERLY: Do you have closed circuit coverage where there are monitors in the Councilmen's offices or other City offices?

MS. HERMAN: That's the in-house that's going on right now. And yes, there are probably over a hundred sets that are hooked up to the in-house system right now. And then later,

there'll be about a half-million cable households that will have exposure to our coverage when we go on to the cable systems.

SENATOR BEVERLY: Thank you.

CHAIRMAN ROSENTHAL: Thank you very much.

Our next panelist is Ed Allen, C-SPAN founder and Boardmember.

MR. ALLEN: Mr. Chairman, Members of the Committee, my name is Ed Allen. I live in Walnut Creek, California.

I want to say up front, I'm tremendously embarrassed by the designation of C-SPAN founder. I was one of several founders, and I wouldn't lay claim to being the founder of C-SPAN ten years ago.

I have a considerable amount of empathy, as it turns out, with the panel on just ahead of us. As a former broadcaster myself, commercial broadcaster, I am empathizing with Mr. Bondi, Mr. Marlow.

I am a Director of KQED educational television in San Francisco. I can certainly empathize with Mr. Robin. And Tracy Westen was kind enough to ask me to be one of the founding directors of the California Channel, and because it depends so much on cable delivery, I should tell you I am also a cable television operator for the last 30-plus years.

But I'm here primarily today in my function as a Director of C-SPAN. I was one of the founding Directors. I have on the Board of Directors of C-SPAN for its full ten-year life. I have been on the Executive Committee on C-SPAN for those same ten years, and it was my very great privilege to be the National Chairman of C-SPAN for the two-year period of 1982 to 1984. So, I had an opportunity to see how C-SPAN works from the inside: the business conditions that are associated with something like C-SPAN.

I think I probably can be of the most help to you by answering your questions about C-SPAN, but let me preface that with a little history of C-SPAN and its ten-year success story.

C-SPAN started on the air ten years ago, but the genesis was actually before that, when Speaker Tip O'Neill -- who I consider one of the consummate politicians that we've had in Washington -- decided that it was time for the House of Representatives to come into the modern communications era and have a more sophisticated internal communications system than the audio squawk boxes, which they had and which you use in Sacramento.



It was when we knew that the House was going to be wired with television cameras, and each Legislator's office was going to be wired, that the cable television industry conceived of the concept of taking that feed, which comes directly from the Floor of the House of Representatives, putting it up on a satellite, and delivering it coast-to-coast to the cable television audience.

The original objections, and we heard them so many times, about lengthening the sessions, lengthening the speeches, the hamming it up before the cameras -- none of these concerns materialized. It's been a success from day one, and it's something that Broadcasting Magazine described as the crown jewel of the cable television industry, because it is funded by the cable television industry.

I think that model which is being suggested to you is one you should focus on because I think it answers some of the concerns I've heard expressed today. I think if you look at this as a two-step process, as Mr. Westen suggested, one is the creation of a modern internal communication system that's better than your squawk boxes, without regard to whether that signal ever gets outside the Capitol. It's just more efficient for you and your staffs to know what's happening on the Floor, to know what is happening in the committee rooms, to know what is happening in the press conference rooms. It's just a very efficient way for you to do your business better, and your business is a \$50 billion a year business. You can use all the help you can get.

As a separate issue then, once you have determined that you want to enter the modern era of television communication, the second issue then is are you going to make it available to your constituents out in the State of California. Once you pass outside the Capitol door, there are no tax dollars being spent. I think that's an important consideration for you. It will take tax dollars to put your own internal system in, but you're entitled to do that just as you're entitled to a good secretary. But once it comes outside the door, that becomes the funding problem of the California Channel.

When C-SPAN started, it had four employees. It had a nest egg of \$400,000, which was raised through donations from the cable television industry, and its total programming was the House of Representatives. In other words, when the House was on the air, we were on the air. If the House was in recess, the screen was black; we had no other programming that night.

C-SPAN has evolved now over the years to where the live Floor coverage is less than 10 percent of our total coverage. We are now operating two 24-hour channels, the second being C-SPAN

2, which is our coverage of the United States Senate, which started sometime after the House of Representatives.

In addition to doing the gavel-to-gavel coverage of the House of Representatives and the United States Senate -- and that is a commitment we have made to both bodies, which is why the special orders, for example, are shown, because it's part of the gavel-to-gavel coverage -- in addition to that coverage, we do committee hearings every day. We do speeches from the National Press Club every week. We are deeply involved with the Close-up Foundation programs which bring high school students to Washington so they can see their government in action and meet with their Legislators. We have a full plate of programming, around the clock.

While C-SPAN 1 -- if I can call it that -- House feed started in 1979, we had some difficulty getting it into the United States Senate. They consider themselves the most prestigious club in the world. They have certain traditions they were concerned might get trampled on. It might mean changes in the manner in which they do business.

It took about six years of televising the House before the Senate all of a sudden discovered it was the invisible body in Washington. The White House had tremendous access through the commercial networks, press conferences whenever they wanted. The House of Representatives had their proceedings covered gavel-to-gavel all the time.

I think what really brought it home was when they discovered that Congressman Gonzalez of Texas had a higher national profile than Senator Bob Dole did in his home state of Kansas. This was when they decided, perhaps for self-preservation, that they wanted at least equal exposure with the Representatives of the House.

Again, as I testified before Senator Matthias' committee, the same old concerns surfaced. In fact, I was surprised at some of the audience concerns. I wouldn't believe that Walter Cronkite and George Will, who testified against televising the United States Senate as substantial newspeople, and they both did. They were trying to preserve traditions that they thought were good. I remember cautioning Senator Matthias to not confuse tradition with habit. And ultimately, they did make some changes, necessary changes, to enable the Senators to speak roaming around with long microphone cords, and it worked out well, and it's worked since then.

The program decisions, other than the House proceedings, are made totally by the C-SPAN staff, the professional staff. That's no different than a commercial radio or television

station, or a newspaper, would do. In fact, we have a provision in the articles or the bylaws of the corporation that precludes any Director of C-SPAN from being involved in any content decision. So, we are once again divorcing even the directorships of C-SPAN from any content control. This, we feel, should be in the hands of the editorial professionals.

I think the key to the success of C-SPAN has been the concept of unedited gavel-to-gavel coverage. That camera can only show what it sees. It's the unblinking eye of the camera, coupled with audio, so it's never edited; it's never condensed. There is never any editorial opinion from any member of the C-SPAN staff. They act only as facilitators to draw out other people so they can present their opinions.

I think that is a key that goes a long way towards alleviating some of the concerns that have been expressed here today about editorial tinkering, perhaps, by elected officials, and this is the way we get around that.

There is a wide spread interest in the State of California in the concept of viewing governmental programming. There are 45 million homes, roughly -- 45½ million -- homes in the United States that get C-SPAN. About 5 million cable homes are in the State of California, and 4.8 million of those homes, or almost all of them, receive C-SPAN. That's about 10 percent of the national universe of C-SPAN, but the interesting thing is, as we do our telephone call-in shows, as we do three hours a day, five days a week, telephone call-in shows, that 10 percent of the universe generates 20 percent of the telephone calls. In other words, there is twice as much interest, it appears, in California in viewing governmental programming as we might find as the national average.

It's been a success. I think it should be construed -- the comment was made earlier -- I think it should be construed as an educational tool. It certainly has been that on the C-SPAN experience. I have characterized it as the greatest ongoing civics lesson the country's ever seen, the world has ever seen. We can see that in the reaction of the people as they contact C-SPAN. They refer to themselves as "C-SPAN junkies". That's not our term; it's their own term. They love that term.

The interest is out there if you'll only make it available. So, I would hope, along with virtually every other panelist, I would second what Susan just said: Do it! Allow first yourselves to have a better internal communication system than you've got. Use your tax monies to help yourself to communicate with each other. But then, having put that into place, let it be passed off so it can be spread throughout the State of California.

I'd be pleased to answer questions.

CHAIRMAN ROSENTHAL: Thank you very much.

Do you have any questions or comments?

We appreciate the input of the panel. We'll now move to our fourth and final panel, entitled, **"C-SPAN in California? The Cal Channel Proposal for televising the Legislature."**

We have three panelists. I see there are four people there and only three names.

MR. KOPLIN: Mr. Chairman, I'm Paul Koplin, Executive Director of California Channel. Next to me is Ms. Beth Givens, who helped promote the Annenberg School of Communications book on the California Channel.

With me today are my fellow Boardmembers: Dennis Mangers from the California Cable Television Association, and Walter Gerken.

I think the majority of what I was about to say today has already been said, and I'm going to make my comments very brief.

CHAIRMAN ROSENTHAL: That's very good, thank you.

MR. KOPLIN: Basically, the California Channel is a nonprofit corporation of business and civic, academic and media cable leaders. We exist for one purpose, and that is -- to repeat the words of Ed Allen, another Board member -- is to educate Californians on the legislative process. It's to provide them access to the information on State issues so they can make their own decisions.

I think today we've heard that the electorate is not well informed on State issues, and as a result, we all get shortchanged. The people of California get shortchanged, I believe the media gets shortchanged, and I believe the Legislators get shortchanged.

So, taking this into account, how can we form a proposal that will make sense to everyone? And I think that we've heard today the C-SPAN proposal, which has a history and it seems to make sense.

What we are proposing is that the Senate install and operate remote control cameras on the Floor of the Senate, the major committee room, and the Governor's press conference room. That video signals from those remote control cameras be passed

through to Legislators' offices, press offices, lobbyists' offices, to State agencies, so they can have access to the information that's going on in the Chambers. As stated earlier, this is essentially -- should be viewed as a tool, like a computer or a phone or a FAX, to improve your own internal legislative efficiency. You could devote separate channels for schedules of legislative hearings; you could replay hearings that went on earlier in the week. You could also replay local newscasts that occurred in the districts while you were working late at night, replay the local and national news.

The California Channel, an independent, nonprofit corporation, would go to the expense, form the relationships, buy the satellite time, and distribute that feed, unedited, around the state to cable operators, to commercial and public television stations, to educational institutions, as well as to educational access administrators.

I've been asked to address two questions today specifically, and that is one of cost and one of control. It would cost the Senate for a minimum operation \$1.15 million in equipment costs, and \$450,000 in annual operating expenses.

It would cost the California Channel to distribute that feed, that unedited feed around the state, roughly \$970,000 in equipment costs, and \$1.3 million in operating costs. It would cost us \$2.3 million to just distribute that around the state.

We think costs are justified on two grounds. The first ground is on internal legislative efficiency, as I stated earlier. This is to improve your own operations to merge the technology, the way you do business, into the 20th Century.

There's also a public policy issue that costs could be justified upon. That is that it makes sound public policy to provide Californians access to the process of State government.

In a legislative hearing in the Assembly, someone mentioned -- they brought up the issue, "I want to give the money to mental health." And that Assemblyperson was right. By giving money to install cameras, you are giving money to mental health, and you're giving money to the environment, and you're giving money to transportation, and you're giving money to basically the people of California so they can make the decisions that are necessary so they can advocate their causes. I would like to have information on the environment, on the decisions you make, on the air we breathe and the water we drink. So, I believe, as the C-SPAN model and as we've seen in other states, that the costs are justified under internal legislative efficiency and on public policy.

The next issue is one of control. We've all heard today comments on if you manipulate the video signals for your own purposes, no one's going to believe you. I also believe that it runs counter to the principles of democracy.

Our goal, our mission, is to educate Californians and provide them with credible access to information. If you manipulate that video signal, I don't think that's going to happen. We're not going to be benefitting anyone.

Taking that into account, the last question I've been asked to address to you today is to talk specifically about the questions that the Senate needs to answer to move forward. Questions like, how many committee rooms, in which committee rooms, should we wire? Questions on rules of procedure and legislative protocol.

I've written a memo on that rather than to go specifically into those questions, and I'll distribute -- if the Sergeant could kindly distribute that to the Members -- and I'll now hand it over to Dennis Mangers.

CHAIRMAN ROSENTHAL: Our next panelist is Dennis Mangers, California Cable Television Association.

MR. MANGERS: For the record, Senators, Dennis Mangers, representing the California Cable Television Association.

As you know, I have served in or around the Legislature for over 12 years, and I've had the opportunity to observe both Houses in session over that period of time. And I have to make the observation that because I qualify in the category Ed Allen described as a "junkie", I have to be careful about my own objectivity in this issue of legislative coverage, because I truly am a legislative junkie. I love the place, and I love watching it and listening to it. When I'm not at the gallery or over at the gate, I usually have a squawk box on.

I can tell you something that you don't need to be told, and that is that some of the most stirring moments of my life have been spent watching times when the Legislature was in session. I think we all remember times when a hush came over that place, and mikes went up all over the Senate or Assembly Floor, and some of our finest orators stood to debate issues of adoption policy, or capital punishment, or abortion; some of the things that most concern the daily lives of the people that you represent and that I once represented.

And I look at it not just as a former Legislator or as a kind of political junkie, but I find myself sitting there and watching and listening as the performer that I am as well, a

person who has long ago learned what audiences want and like, and have tried to give it to them.

I'll tell you, I've heard a lot of talk today and in previous hearings about this isn't the kind of stuff that people in California are going to be interested in. That's baloney. I've been in theater and the arts for a number of years, and there's a great deal of what goes on in the Legislature there that is of extremely high interest and would hold the attention of any Californian for a considerable period of time. I think you all know that.

I also look at it from the perspective of a former school teacher and school principal, which I was for many years before I came to the Legislature, and there have been many moments over the last 12 years that I have deeply regretted the fact that less than one-tenth of one percent of the people were ever going to experience this moment: when I heard a Legislator, suffering from terminal illness and racked with pain, himself standing on behalf of many Californians in that same position to debate health policy; others serving in a microcosm of what this society is like, exhibiting for us real life, just life. Not a mystical, magical process, just a glimpse of life. The only difference is, these 120 people showing us a little glimpse of life in that position on behalf of over 28 million Californians can make the rules, and I have long thought, "Boy, a lot of Californians ought to be watching this process," for good or ill. When some guy stands up and acts nobly, and another guy stands up and acts like a jerk, it's still life. And the people of California ought to have an opportunity to witness it.

Well, since I started to represent the California Cable Television Association some eight years ago, I've been asked to serve on about three advisory committees by different people. Sometimes -- a couple of Members of the Legislature, about five or six years ago, decided they were highly interested and asked if I would come and sit in on meetings. Tom Holbert of California Journal and others would come up with committees trying to take a look at this thing. Each time I went and sat with them, both out of personal interest and representing interests of cable television, and never have they gotten off the ground.

It didn't get off the ground for two reasons. One was, they never got to the stage where they collected sufficient money to launch the kind of study that needed to be done to provide the data and the research that could form the basis or foundation of a public policy decision.

And two, there wasn't even a glimmer of interest on the part of the legislative leadership of either Houses. And as a

result, months into the process, the issue died. And I went off, and we were in a vacuum again for a while, and then I'd be called later, and once again I'm invited.

This time, Professor Westen of USC's Annenberg School and his colleague, Beth Givens, came in with a proposal to study this issue that was, to my mind, the most serious to date. And because I've seen Professor Westen testify at legislative hearings before, and because I know something of the Annenberg School at USC, I took this one more seriously and once agreed to participate.

So, I read each chapter in draft form as it came along, and provided advice when it was, I thought, necessary; put them in touch with cable operators when they needed technical or engineering kinds of advice; gave some advice that's purely from political instinct, and watched this report being developed.

It seems to me -- I've read the whole thing now -- and it seems to me that the questions that anybody legitimately ought to ask are essentially answered. It seems to me that the feasibility is clearly in hand, clearly understood. Now it seems to me we're ready to move to the next steps.

The first step if this is to go anywhere is clearly for the legislative leadership of both Houses to indicate that they think it's time to move our Legislature of California into sync with the other Legislators and the House and Senate of this country, into this new, technological era in which we open up the process and make it available to the people of California. That's step one. I think Paul Koplin very succinctly described what the next steps in that regard need to be.

And then, the next step after you've done as Ed Allen suggests and set up your own infrastructure for your own purposes, if you've made the decision to go into this process, then we look at distribution. Now, it's there I can tell you on behalf of the Cable Television Industry of California, first of all, we're not one big monolith, as I think all of you understand. We're 380-some companies in California; each makes its own business decisions on its own. But it does have a trade association, which I represent, a board of directors.

I can tell you that this board of directors helped fund this study because it was that interested from the beginning in having someone as prestigious as the Annenberg School, Tracy Westen, Beth Givens, looking into this. So, it contributed money to the process.

Furthermore, at a recent board meeting, now having benefit of this completed study, our board made it abundantly



clear that it is interested in seeing cable television in California become one of the partners in the process of distributing such programming to the homes of California, should the Legislature move to that next step. When I say "partner", I mean that unlike the C-SPAN model, we don't have a channel which you can just designate throughout the state with the same number on it for every cable system in California. That's no longer possible.

We do have a great deal of unutilized channel capacity in our systems throughout California -- local, educational and governmental channels, public access channels, et cetera -- and some even totally unutilized channel space on the systems that have greater channel capacity. There is space available out there to take that feed at various times throughout the programming day and evening, make that available through cable.

We also think that there are public educational channels, and you've heard them testify today, that ought to be willing, and many are, to carry this, and of course the commercial broadcasters are here to make it clear that while there has been some diminution of their coverage of activities at the State government, that doesn't mean they're not going to be highly interested in availing themselves of some of this as well.

So, cable is interested not in totally financing the operation. It is not interested in being held unilaterally responsible for distributing such programming, but most of my members, especially the largest members who have the greatest number of subscribers, seem highly interested in the proposal that's been suggested. One major cable operator in the Los Angeles area has even suggested that while the plan makes good sense, the cable operators, three or four years down the line, when the programming is under control and the market has been established, coming in paying a subscriber -- a fee per subscriber. He sees the possibility of cable service wanting to come even earlier in the process of paying to ensure even higher quality of product from the beginning. So, there is considerable enthusiasm out there about that.

I strongly urge you to move to these steps, as Ed Allen suggested. If he won't take credit for being the founder of C-SPAN, we consider him the founding father, if that doesn't sound too paternal, of C-SPAN. As he suggested, I think you ought to move with some deliberate speed to install the system that's been discussed for your own purposes. I know I as a lobbyist would love to be tuned into that as well so that my now electronic squawk box could become a video squawk box, and make even more efficient and effective use of that in my job.

And then, at that point, I strongly urge you to look at the one outfit that I've seen in eight years that looks to me to have done the homework, who've done the research, and now seems immanently qualified to have a board of directors that represents a cross-section of Californians, and is capable of moving ahead, and giving that organization, the California Channel, the opportunity to move forward with the distribution of programming throughout the state.

CHAIRMAN ROSENTHAL: Any questions?

Our final panelist, Water Gerken, is a Board Member of the California Channel, Chairman of the Executive Committee of Pacific Mutual Life Insurance Company, and the past Chair of the California Roundtable.

SENATOR ALQUIST: Mr. Chairman, if I may, my apologies to Mr. Gerken, but we're going to have to leave for the airport.

CHAIRMAN ROSENTHAL: Thank you for being here.

MR. GERKEN: I appreciate the opportunity to be here.

I think my role here today is to state that it's my firm belief that business will be very supportive of a statewide public affairs channel. As you indicated, I served for two years as Chairman of the California Business Roundtable. That was back in '82 and '83, when we developed what later became SB 813.

I mention that because to me, the Roundtable shows the keen interest of business people in essential public issues of our time and in our state. And as you know, we continue with another education effort that's now before the Legislature.

I'm also involved as a co-chair along with Cornell Meier, the former head of Kaiser Aluminum, with an outfit called California Leadership, which is a bipartisan effort, broadly based with minorities, women, and it's bipartisan in the sense that Senators Morgan and Torres are on it, Assemblymen Vasconcellos and Pat Nolan. And Cornell and I are on it, Ted Saenger, the former President of Pacific Tel., and a broad base of other people north and south. And what we are undertaking right now is to manage the California Compact, which is taking and running with the California Economic Development Commission's set of recommendations in California Vision 2010.

It's my firm belief that the business community senses the need for better education of the population in terms of understanding these issues, and I just know from my own experience in my own company, and my successor Harry Bubb is keenly interested in this, and I've seen evidences in other

corporations on whose boards I serve -- I serve on Edison Company, on Whitaker, and Carter and Hale.

So, I urge you to move forward with this. I think you'll get full support from the business community, even though I don't come under the authorized manner of anyone but myself. But having been involved as a business leader in public issues for the 22 years I've been out here, I just have a keen sense that you're going to be supported by businessmen in your efforts if you move forward with this project.

Thank you.

CHAIRMAN ROSENTHAL: Any comments? Senator Beverly.

SENATOR BEVERLY: I have a question to anybody.

We've heard from business, the media, Common Cause -- everybody's in support.

Is there anybody in opposition to this proposal? Was there an effort made to bring in opposition?

MR. KOPLIN: I could add something on that.

We announced our existence August 28th. Within, I think, two or three weeks -- I haven't talked to all -- but we have received a lot of unsolicited editorial endorsements from major newspapers of the state, including conservative and so-called liberal newspapers, from the San Diego Union to the L.A. Times, to the Sacramento Bee. Yesterday, I think it was, the San Jose Mercury News endorsed us.

There seems to be a ground swell of support for this concept.

SENATOR BEVERLY: Do you have the Orange County Register?

MR. KOPLIN: I'm working on it. I haven't talked to them yet, but believe me, they're on my list.

SENATOR BEVERLY: Mr. Gerken, in the Business Roundtable, did anybody voice any dissent on this issue?

MR. GERKEN: I've heard none, frankly. I know I've made an effort to add to the board of the California Channel some additional businessmen from some of the corporations I've already mentioned, and all of them have expressed a keen interest in what we're trying to develop here.

MS. GIVENS: For the record, I'm Beth Givens, co-author and principal researcher.

I appeared -- you don't appear on a radio talk show, I guess -- I was interviewed for a radio talk show the week that our report came out, and it's the kind of talk show where people call up and ask you questions. And I was on right after a discussion on Satanism, so I was a little bit worried about the tone of questions that were going to come up.

But I was very interested; the lines lit up. I was on a program in San Diego that has a strong signal that reached as far as Santa Barbara. The lines lit up. We had six calls, and four of the six were wildly enthusiastic. One woman was so excited she was out of breath from running to the phone. Two callers were -- they said they were not interested: one because she preferred the newspaper; the other because he thought that it would be an avenue for grandstanding, an opportunity for grandstanding.

One thing that was common for all six callers -- and those six calls came in in 30 minutes, which I guess is pretty good -- that all six callers were very, very concerned about the editorial integrity, and were reflecting a lot of the comments that we've all heard today about the importance of it not being a tool or a showcase for the Legislature for its own message, but that the origination of the television programming and the distribution be separate entities.

I thought that was interesting, that it as two-thirds for and one-third not interested.

CHAIRMAN ROSENTHAL: Asking the panel, the business community specifically, no concerns about the expenditures of taxpayer dollars for this kind of installation?

MR. GERKEN: My sense is that it's the most economic way that I can think of to educate the citizenry about what's going on. There's some numbers in our book, but it gets down into the cents per message.

I think that in the context of a \$50 billion State level budget expenditure, the amount of money you're talking about, which is in the low millions, is peanuts if it accomplishes the job, in the context of the issues before us in the years to come.

CHAIRMAN ROSENTHAL: I appreciate the input of everybody who helped us here today. As I said, this is our first step in the Senate of moving toward televising its proceedings. I think it's a promising step.

We'll need to ask many questions, some that have already been asked, and others that Members of the Legislature will come up with on cost and control, how both Houses can work together.

I want to thank everyone for coming, and I certainly have learned something, and I intend to read that report so that I might have some answers for questions that will be raised in the Senate in its future proceedings.

So, with that, anything further? Anybody feel compelled out there who has not said something? How about somebody who was not on the program who would like to have half a minute to make a comment.

MS. KISTLER: I'm Moonyean Kistler, and I'm a new resident of La Habra. I had lived in Whittier for 37 years.

I'd like to speak as a C-SPAN junkie. I came here to attend a Bureau of Automotive Repairs regulation meeting, and I'm also a registered advocate for a trade association, the Automotive Service Council.

But I really wanted to talk to you about being a C-SPAN junkie who is a citizen who used to watch "Days of Our Lives", and took cable just so I could hear the House of Representatives. It has taught me to have a greater appreciation for my elected officials, for both parties.

I don't like editorials. I also watch CNN News because I want to hear the news. When the President gives a speech, I'd rather watch C-SPAN because nobody's going to come on afterward and tell me what I already heard for myself.

So, this is why C-SPAN is important to me. I think it's very important to the citizens of California. My children would come home from high school and college, and that would be on television. They were forced to watch it. I received a whole lot of questions, especially from my teenage son, who has become quite informed. He'd tell his friends -- his friends would start asking me questions about issues that were important to them.

I think it's very important. California's a large state. I think our citizens deserve to see what's happening.

Also, looking at the legislative -- and now being a registered lobbyist for a trade association, I think it's important to the business community, for small business owners to be able to see whether their lobbyists are really representing them, because they can see that. I think committee structure, to see what goes on in committees, is very important to the citizens and businesses of California.

CHAIRMAN ROSENTHAL: Thank you very much.

With that, we will adjourn this session.

(Thereupon this Joint Hearing of the Senate Rules Committee and the Senate Energy & Public Utilities Committee was adjourned at approximately 12:35 P.M.)

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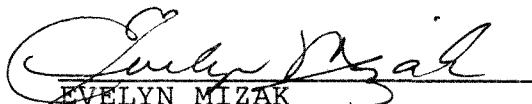
CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN MIZAK, a Shorthand Reporter of the State of California, do hereby certify:


That I am a disinterested person herein; that the foregoing Joint hearing of the Senate Rules Committee and the Senate Energy & Public Utilities Committee was reported verbatim in shorthand by me, Evelyn Mizak, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

11<sup>th</sup> IN WITNESS WHEREOF, I have hereunto set my hand this  
day of October, 1989.

  
EVELYN MIZAK  
Shorthand Reporter

IN WITNESS WHEREOF, I have hereunto set my hand on this  
reformatted transcript this 9<sup>th</sup> day of November, 1989.

  
EVELYN MIZAK  
Shorthand Reporter



California Legislature

## Senate Rules Committee

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**JOINT HEARING  
OF THE  
SENATE RULES COMMITTEE  
AND  
SENATE ENERGY & PUBLIC UTILITIES COMMITTEE**

Wednesday, September 20, 1989, 9:30 am to 1 pm  
State Building, Room 1138  
107 South Broadway, Los Angeles, California

**TELEVISIONING THE LEGISLATURE:**

**How Can the Senate Improve the Public's Access to Information  
About the Legislature, the Lawmaking Process, and the Laws that  
Affect their Lives?**

**BACKGROUND: WHY THIS HEARING?**

More than 70% of all Americans rely on television as their principal source of information. In California, citizens are able to watch Congress on television, and their local city council meetings, but the actions and decisions of the State Legislature remain unseen - and largely unknown - outside Sacramento.

The question of expanding television coverage of the Capitol is not a new one: A number of proposals have been suggested over the years as public television lost its state funding and as commercial television stations closed down their Sacramento news bureaus. This interest has recently been heightened by the publication of a USC Annenberg School of Communications report on the feasibility of establishing a new public affairs television network in California.

In August, the Assembly Committee on Utilities and Commerce convened an informational hearing to examine the prospects for televising the Legislature.



The Senate has scheduled two public hearings on this subject; the first hearing today in Los Angeles and a second hearing later this year in Sacramento.

#### WHAT OTHER GOVERNMENT ENTITIES HAVE DONE

The United States Congress, various States, and many cities and counties in California provide television coverage of the lawmaking process. They differ, however, in the way this coverage is provided; who produces the coverage, what is covered, how the footage is distributed, and who pays for what.

**CONGRESS:** The House of Representatives initiated live gavel-to-gavel coverage of floor sessions in 1979, the Senate in 1986. Congress purchased the cameras and other equipment and hired staff to produce the coverage.

C-SPAN is an independent, nonprofit entity, governed by a Board of Directors made up of cable company CEOs. C-SPAN distributes the video of Congressional floor sessions via satellite to cable companies around the country who pay 4¢ per subscriber for the programming. In addition to distribution, C-SPAN produces other programming such as interview and call-in shows, committee hearings, conventions, and other political events.

**OTHER STATES:** Only two other states in the U.S. have less television coverage of their state legislatures than California. In 38 states, public television produces regular public affairs programs that include coverage of state legislative issues.

For example, Florida Public Television receives \$500,000 a year from the Florida Legislature to produce daily and weekly news programs on the legislature's activities. The footage is distributed (free over PBS satellite) to other public television stations in the state plus a few cable channels.

WGBH, a public broadcast station in Boston, operates state-owned equipment and is given \$500,000 a year to produce gavel-to-gavel coverage of floor sessions and committee hearings for the Massachusetts House of Representatives (not the Senate). A microwave relay system carries the coverage to most of the state.

Rhode Island's legislature uses its own staff and cameras to produce gavel-to-gavel coverage of floor sessions, committee hearings, news conferences, weekly news and discussion shows which they distribute via a microwave interconnect to designated cable companies across the state.

A North Carolina executive branch department produces coverage of floor sessions and committee hearings and a call-in discussion show which is distributed by satellite to cable systems throughout the state.

**CALIFORNIA CITIES AND COUNTIES:** Some 207 cities and 26 counties in California have franchise agreements with local cable systems that call for dedicated local access channels. Some have dedicated government access channels (others have public access, education access, religious access, or a combined channel). Some 122 cities/counties provide live coverage of city council or board of supervisor meetings.

The City of Los Angeles is embarking on the most ambitious of these local programs. Using franchise fees (no general fund money is involved), the city purchased over \$500,000 worth of equipment to produce live coverage of city council meetings. Cable systems in Los Angeles, as required in their franchise agreements, are connected by microwave and have agreed to air the programming.

#### **WHAT THE CALIFORNIA CHANNEL HAS PROPOSED FOR THE LEGISLATURE**

The California Channel is a nonprofit organization that is seeking to play the same role for the California Legislature that C-SPAN plays for Congress.

Cal Channel is proposing that the Senate and/or Assembly purchase equipment and hire staff to produce the unedited coverage of floor sessions, committee hearings and/or press conferences. They plan to distribute the feed via satellite to interested cable systems across the state. They also hope to produce other programming such as interview, call-in shows, news highlights, etc.

#### **THE OBJECTIVES OF THE HEARING**

The primary objective of this first Senate hearing is to find out if the public thinks there is a need for more television coverage of the Legislature. The Committee is also interested in what other governments have done to open up the lawmaking process to a wider audience through television.

If a C-SPAN type program were to be established in California, it would require that the Legislature agree to purchase and install the cameras; that Cal Channel raise enough money (at least initially) to pay the satellite and uplink costs involved in

distributing the coverage statewide; and that local cable systems agree to air the programming.

The Committee is interested in hearing from the California Channel and the cable industry about what would need to happen for a new public affairs television network in California to become a reality.

The hearing scheduled for later this year is designed to focus more specifically on the issues and questions raised by the Cal Channel proposal:

Programming: Unedited coverage of floor sessions? Committee hearings? Conferences? News wrap-up/week-in-review program?

Produced by: Senate staff? Public Television?

Distribution: How much video footage of the Senate would be distributed over the satellite each day? What about on Fridays or during interim?

Aired by: Will cable systems dedicate a channel for Legislative programming? Will it be aired on government access channels? How much will they air? Will they edit the footage?

Watched by: Cable subscribers only? C-SPAN viewers tend to be well-educated, middle or higher income, older people who vote.